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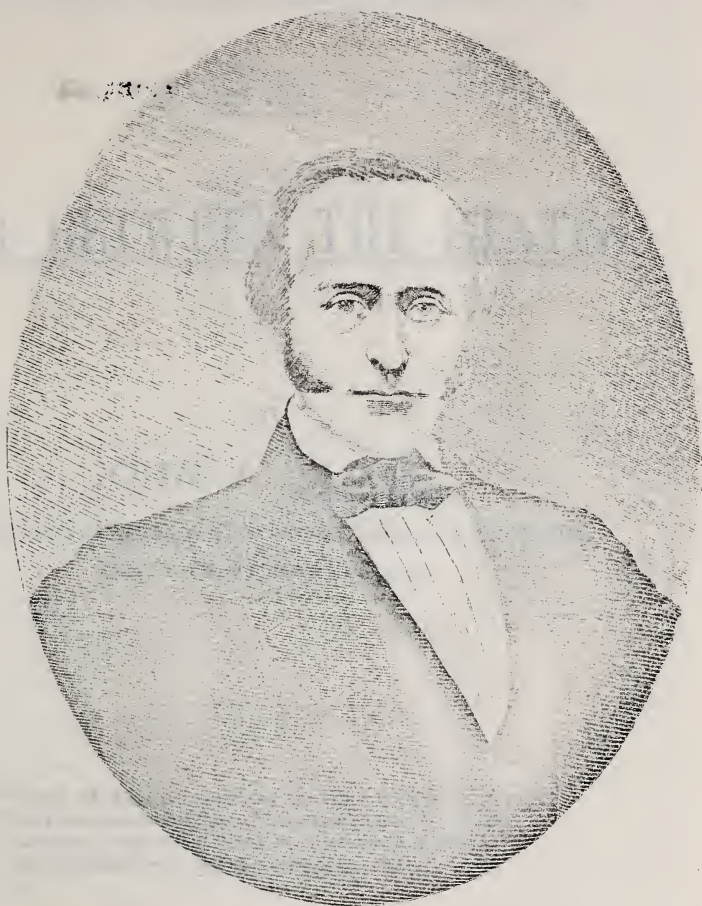


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John W. Ellis



# NORTH CAROLINA

IN THE

## WAR BETWEEN THE STATES.

BY

JOHN A. SLOAN,

LATE CAPTAIN OF CO. B, 27TH NORTH CAROLINA REGIMENT,  
ARMY OF NORTHERN VIRGINIA.

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"Grand old State, fair land ! thy dead died bravely for the right ;  
The fabled flag is stainless still, the broken sword is bright ;  
No blot is on thy record found, no treason soils thy fame,  
Nor can disaster ever dim the lustre of thy name."

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WASHINGTON :  
RUFUS H. DARBY, PUBLISHER.  
1883.



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"General and State Fair Board, City of Raleigh, N.C., 1889."  
The following is a copy of the original manuscript of the  
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WASHINGTON,  
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## PREFACE

TO

THE MEMORY OF THE BRAVE SONS OF NORTH CAROLINA,  
WHO FELL IN THE STRUGGLE TO MAINTAIN THEIR PER-  
SONAL RIGHTS AND THE BLESSINGS OF CONSTITUTIONAL  
LIBERTY: AS A TOKEN OF RESPECT TO THE GALLANTRY  
AND PATRIOTISM OF THE SURVIVORS, WHO LOST ALL  
BUT LIFE AND HONOR, IN THE UNSUCCESSFUL EFFORT:  
AND, AS A FEEBLE TRIBUTE TO THE NOBLE WOMEN OF  
THE STATE, WHO SUSTAINED THE COURAGE, AND MINIS-  
TERED TO THE WANTS OF THE SOLDIERS IN THE FIELD:  
THESE PAGES ARE LOVINGLY DEDICATED BY THE AUTHOR.







## PREFACE.

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The history of the part performed by North Carolina, in the War between the States, has not heretofore been attempted. Many valuable contributions, indeed, have been made, and there is also much material for such a history in existence, which has never been given to the public.

In the present work it has been the aim of the author, first, to collect all important and reliable matter, which has been made public; next, to examine all official records bearing upon the subject, which have not appeared in print; and lastly, to gather all that could be obtained from the surviving actors in those eventful scenes. With what success these efforts have been attended will best appear from the work itself.

It may be stated, however, that pretty much everything that has appeared in books and magazines has been considered. With regard to unpublished official documents, the author has had every facility extended to him by Mr. Lincoln, Secretary of War; Col. R. N. Scott, and Gen. Marcus J. Wright, of the War Records Office; Governor Jarvis and Adjutant General Johnstone Jones. Some interesting information has also been voluntarily contributed by private individuals.



It has been the purpose of the author to present a record of what North Carolina accomplished in the war for Southern independence.

Such a record should be systematic, accurate, and complete. It should give the facts in their regular order and connection, and show their mutual dependence upon each other; nothing of doubtful certainty should have even a moment's consideration; and finally, the statement should be exhaustive, embracing all the facts.

Such has been the aim. Of course such an aim can only be approximated. To reach it would be historic perfection. How near to it the author has been able to come the thoughtful reader will judge.

An unimbellished narrative of North Carolina's efforts in the great struggle to maintain constitutional rights would be the highest eulogy that could be pronounced upon the people of the State. Justice demands that such a narrative should be attempted. The author has only to regret that the work has not fallen into more competent hands.

If he has overestimated his own powers or underestimated the requirements necessary to the successful execution of the task he has undertaken, he begs the reader to attribute his error to the interest he feels in seeing North Carolina placed in the front, in the general history of the war, instead of occupying a position in the background, as she has done heretofore.

The causes which led to a war so bloody and prolonged must of necessity have been deeply laid and long existing. It is part of the history to show what the causes were. We believe we were right. It follows, then, that we believe that the North was wrong. To justify ourselves before the world



and posterity it is therefore necessary that it should be shown *what were* those wrongs and oppressions which were resisted to the bitter end.

It would be a matter of regret if the statement of these wrongs should give offense in quarters where prudential considerations prescribe the rules which must govern historic statement.

The author, however, has nevertheless felt it to be part of his duty to set forth in the introductory chapter an account of the causes which led to the war, in order to show that North Carolina was not only justified, but compelled, by every motive of safety and self-respect, to act as she did act.

Finally, while the author has not hesitated to speak out with reference to the barbarities committed by Federal commanders, and the outrages sanctioned by the United States Government, it is hardly necessary to add, that for the true soldier, who wore the blue, and fought from a sense of duty, no one can entertain a higher regard and more just respect.

GEORGETOWN, D. C., *July 15, 1883.*





## INTRODUCTORY.

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In the individual State, considered as a unit, there are two extreme and opposing principles of political organization. The one is absolute despotism, the other is pure democracy. Both of these principles appear in history, and between these points the governmental systems of all the modern civilized nations perpetually oscillate, whatever may be the form in which the idea of the State may make itself visibly manifest.

As the essence of a triangle consists in three straight lines enclosing a space, so the essence of a State consists in sovereignty, and in sovereignty alone. Given sovereignty, and every conceivable function of the State is given in it. The old notion of divine right is just when applied to the State. *Sovereignty can do no wrong.* Sovereignty is absolute political power. It exists in immediate and direct relation to the individual citizen. It places its hand upon him and deprives him of property, of liberty, and of life, according to its own good will and pleasure.

This power exists without restraint, without control, without limitation. It is paramount. It is the highest thing on earth, and is responsible to God, and to God alone.

Such is the true conception of the State. Thus it was conceived in the rise of the first civil communities, however rude and barbarous, and so far back that their history dims into twilight.

Absolute sovereignty in a State is a law of nature. This





is a self-evident proposition; because, it is a law of nature that man should exist in a state of society, and the very condition of the existence of society is, that there should be absolute control over the individual. But this sovereign power may deem it expedient to place restrictions upon itself, either by custom, by a written constitution, or it may shape its action with a view to avoid revolution. Still the power that made can unmake. The Constitution may be annulled, the custom may be abrogated, and revolution may be defied.

In practical politics the first question to be settled is, Where does the sovereign power reside? The second is, Towards what end should the sovereign power be exercised? or, in other words, What is the function of the State in respect to its individual members? While neither of these questions will have any bearing upon our subject, still it was necessary to first show, briefly, what a sovereign State is; for it is a political axiom that only sovereign States can become parties to a federal compact.

A federal compact may be defined to be an agreement between two or more sovereign States to do and to refrain from doing certain things, upon the supposition that such agreement will promote the welfare of all the contracting States. Such a compact has two guarantees that it shall be faithfully performed. The first is moral and legitimate, viz.: the advantage accruing to the individual State in virtue of the compact; the second is violent and illegitimate, viz.: the employment of coercive measures against the alleged delinquent; and in the event of controversy there can be, in the nature of things, but one mode of trial—the wager of battle.

These federal compacts vary in character, from extreme simplicity, embracing but one particular object and definitely limited in duration, to great complexity, combining many general objects with a multitude of subordinate provisions. The confederation of Abraham with the neighboring kings, to recapture the spoil which the seven confederate kings had carried away, would be an example of the first class. The



old Germanic confederation and the compact under the Constitution of the United States of America are examples of the second class. Nor is the widest difference in the forms of government among the contracting States any obstacle to their perfect union under a confederation.

The several States may be monarchical, aristocratical, or republican; their institutions may differ in the most essential respects; yet, this does not conflict with the common purposes which the federation was created to accomplish. It is destructive of the very principle of federation itself to maintain that the federation requires a homogeneity of institutions in the several sovereignties which compose it.

The Federal Principle is discerned both by reason and experience. A State has two well defined spheres of action. In the one sphere, the effect of its action is confined to its own citizens. In this respect it is as autonomous as the individual in his thought and conscience. In the other sphere of its action it comes in contact with other States, and here it ceases to be autonomous; as a man may not enjoy absolute freedom of action, while perfectly free in thought and conscience. But it is impossible for a State to exist without relations to other States; hence, federation or war results as a necessary consequence.

In the most remote ages we find that vast and powerful empires existed in Asia, in which towns or cities possessed no political significance. But these nations have remained stationary—as China, which is still the China of two thousand years ago—and have no influence in the growth of civilization. They are immense stagnant seas, in which human beings rise, rot, and remain the same. History takes no further observations of them than to note this fact.

What history does notice, and what is of interest to the political thinker, is the city, the town, the hamlet, the *pagus*. These were centres of light in the surrounding darkness, and here the seeds of civilization first took root. Here men first aggregated themselves and organized civic communities,





established laws and executed justice "in the gates," strengthened and defined more clearly the rights to private property, invented letters, wrought in brass and iron, abandoned skins for woollen cloths, and laid the foundations of trade and commerce.

Around the city of Jerusalem clustered in many cities a people which still retains its identity. It was Tyre that colonized the coasts of the Mediterranean and breathed the breath of new life into their slumbering populations. Athens, Sparta, Thebes and other cities gave to Greece its renown in letters, arts and arms, and in the science of government. It was against the strength of these Grecian cities that Xerxes hurled his countless Asiatic hordes to his own destruction. It was these cities that formed the barrier to the westward advance of Asiatic despotism. When Greece went down it was before a *city* that it succumbed—Rome; and the terrible rival of Rome that disputed with her the empire of the West was Carthage.

In these cities first flourished liberty regulated by law. Here philosophy was born, here science emancipated the human mind from superstition, and here beauty found its noblest expression and soared to a height which it has not since attained.

The first civic community is that of the tribe, the tie of which is blood. Next follows the city, which is an association of families gathered together for the purposes of mutual protection and exchange of commodities. Then follows federation between different cities, for the purposes of trade and commerce.

The city is a complete and independent organization. *It is a State.* It has its own form of government, its own laws and administration, its own finances, and its own army. Here in this small domain the citizen felt himself to be a part of the State. The operation of the government was a matter of personal observation, the public buildings were daily before his eyes, the features of the magistrates were familiar, the



public fetes and holidays made up the happiest portion of his life. The city had been his cradle; here lived all the loved ones; here he had wooed and wed, and had children born; here he would be laid to rest, and his children would afterwards lie by his side. The State ceased to be an abstraction, it was a reality, and the citizen was attached to his city with a warmth of affection which we are at a loss to understand. To preserve the independence of his city was his *first, last, and highest duty*.

If the city had been able to exist entirely in and of itself, it never would have entered into a federation with another city. But a law of nature renders this an impossibility. As individuals must live in relation with each other, so too must States. Gradually the production and consumption of the city will become disproportioned. There are some articles it wishes to sell, and some it wishes to buy. Thus communications between city and city must be established and regulated. A new class of laws must be devised. Rights of pastures, the rights to waters, and the defining of frontiers are among the questions which must be settled.

Sometimes these questions have been decided by the strong hand, but more frequently by federation. History abounds with examples of these federations. The twelve tribes of Israel were confederated. The Phœnician cities on the northern coast of Africa were confederated, and their representatives held their assemblies at Tripoli. In Greece there existed the Bœtian, the Aetolian, and the Achæan Leagues. This latter confederation, originating around the Gulf of Corinth, consisted of twelve cities, and gradually extended itself until it embraced nearly the whole Peloponnesus.

The Greek historian Polybius says that, in his time the confederates had become so assimilated that they had the same magistrates, senators and judges, the same laws, weights, measures, and money. He says further, that the Peloponnesus was like a single town, lacking only a wall to surround it. This confederation had a long and prosperous existence,





and was the last bulwark of Grecian liberty against Roman domination.

In Italy, around the Gulf of Tarentum, was another Achæan League, modeled after the older one, which attained a high degree of prosperity: also the confederacies of the Latins, the Samnites and the Etruscans, all well known. That of Latium was composed of thirty cities. Alba was the capital, and here annually the delegates from all the cities assembled to sacrifice a bull to their gods. At the fountain Tarentina they held their councils and deliberated upon the general affairs of the republic. That of Samnium was strong enough to contest with Rome for the supremacy, and Niebuhr shows that the contest was not an unequal one. The Etruscan confederation was composed of three subordinate confederations, viz.: that of the Po, of Etruria, and of Campania. Each of the three confederations consisted of twelve cities, and had its capital, while the central power had its seat at Bolsena. It surpassed the other leagues in riches and in civilization, and succeeded Greece in the dominion of Italy. There was probably not an isolated city in Italy when Rome undertook the conquest of the Peninsula. Spain, France, Switzerland, and Germany were divided among similar confederations: in fact, when Rome began her career of conquest the confederate form of government was universal in Europe. The "*Nation*," as we conceive it, was then unknown. The Amphictyonic Council was a futile and premature attempt to establish one.

Rome destroyed the federal system and established the provincial system and the government by her proconsuls. The Northern swarms who overran the Roman empire instituted the feudal system. By degrees trade and commerce began to revive from their ruins, and the cities began to rise in importance. The Hanseatic League was constituted, but the confederate system had well-nigh entirely disappeared, having succumbed to feudalism. The history of feudalism is briefly told. The greater barons swallowed up the smaller



feudatories and their weaker peers, to be in turn devoured by the crown. Now for the first time the *nation* makes its appearance. Trade and commerce destroyed feudalism, and with its destruction reappears the federal principle.

Now rises the German and Swiss confederation, and later the confederated States of Holland, the confederations of South America, and most important, the United States of America, under the Constitution or Federal Compact of 1789.

There is one class of political philosophers who maintain that the federal principle has but a limited value, that it is only adapted to small and weak communities, that it is essentially temporary in its nature, and that it is to be shaken off when the States have arrived at vigor and maturity. They say that the proof of this lies in the fact that the pure confederate governments have all passed away. Admitting this fact, it proves nothing. Different systems of polity have appeared and disappeared. The better has not always succeeded the worse. The race does not move in a straight line of progress. The destruction of the old Greek civilization was probably not a blessing to mankind. Roman jurisprudence was not improved upon by the laws and customs introduced by the Northern barbarians. All the modern legal reforms are substantially a return to the methods of old Rome. Divine Providence has so ordered that there are long steps backward in history. It will be admitted that in respect to grandeur, wealth, power, and in extent of territory, the consolidated nation surpasses the confederate republic. It is only in the great nations that the enormous accumulations of private wealth, aggregating hundreds of millions in the hands of individuals, is possible: but it is there too that the deep and smothered growl of revolution is now and then heard from the oppressed masses below.

In the confederation of small and independent States there is, from the nature of things, less private wealth, but infinitely less of poverty and human suffering. Under the confederate system there would be no consolidations of railroads and





telegraphs, nor could bankers hire the law-making power to inflate and diminish values, that they, the employers, might reap a golden harvest from the sufferings of those whom their greed would pick to pauperism. Under the confederate system, administered according to the compact, there could have been no bounties and protective tariffs to rob the people of the South, that the North might become rich and powerful.

The social question is the problem of the day, and we may well inquire whether the first step towards abating intolerable existing wrongs be not a return to the strict confederate system.

In the first Congress of the colonies, which assembled in Philadelphia, to resist the aggressions of Great Britain, the colonies recognized each other as distinct and independent. The notion of an "American people" was not even dreamed of. In that important paper, the Declaration of Independence, it was expressly declared that the colonies were "free and independent *States*." The term "*States*," was employed in its technical, political sense. No perverse ingenuity had yet tortured the meaning into geographical divisions.

Under the first confederation the States united themselves "severally into a firm league of friendship with each other, for their common defense, the security of their liberties, and their mutual and general welfare, binding themselves to assist each other against all force offered to, or attacks made upon them, or any of them, on account of religion, sovereignty, trade, or any other pretense whatever."\* It was agreed that "each State retain its sovereignty, freedom, and independence, and every power, jurisdiction, and right, which is not by this confederation expressly delegated to the United States, in Congress assembled."†

It is necessary to anticipate here, and to observe that these fundamental principles of the confederation are essentially

\* Articles of Confederation, Art. III.

† Articles of Confederation, Art. II.



the same as those in the Constitution. In both, the States combined for the common defense and for the general welfare, powers not delegated were reserved, and the expression, "the United States," is employed in the one as in the other. No one has ever dared deny that the term "United States" in the old articles meant anything other than a union of independent States; nor has it ever been shown that the same language was employed in the Constitution, a few years afterwards, in any different sense.

The Convention which was called by Congress, and which assembled in Philadelphia, in May, 1787, was called for the sole purpose of revising the Articles of Confederation. In this convention the special point of controversy was the question of representation. The great States insisted upon a larger share, while the smaller States demanded that representation should be equal. After long debate it was finally agreed that, in addition to equality of representation in the Senate, *each State* should be entitled to be represented according to its population in the House of Representatives. The representation in the House was as much a representation of *States* as that in the Senate.

The doctrine of a representation of the entire people of the country as an aggregate unit was an after-thought, to secure *power* and *protective tariffs* to the North. It was a subterfuge, designed and intended to subvert and destroy the independence of the States. Hamilton and his party viewed the Constitution as a mere revision of the old articles, and regarded it as a mere league, compact, or union of *sovereign* States. This they openly avowed, and then set to work, covertly and under plausible pretexts, to consolidate the government by means of a "liberal" construction of the Constitution.

It would be interesting to trace the history of these "constructions," from the first cautious and insidious beginnings down to the present, when the union has become a "*a nation*," and the States are shadows, while the agent, or General Government, is the "all and in all."





The government of Great Britain recognized the sovereignty of each State, and in the treaty of peace each particular State was recognized by its name to be independent. New York, Virginia, and Rhode Island provided, in the most explicit language, when they acceded to the Federal Union, that they retained the right to withdraw from the compact or union whenever in their judgment their welfare might demand it. Massachusetts, upon four separate occasions, *threatened* to exercise the same right. At the time of the adoption of the Federal Constitution the right of secession was an undisputed and admitted fact, and was formally embodied in the famous Virginia and Kentucky resolutions drafted by Jefferson and Madison in 1798.

Slavery, as a moral or social question, was never considered in the Convention which framed the Constitution. The New England States were engaged in three principal pursuits: the fisheries, the slave trade, and the manufacture and sale of rum. These three pillars constitute the foundations of their present wealth and power. The only protest against slavery, *per se*, came from Virginia, and Mr. Jefferson charged as a grievance against Great Britain that she sold African slaves to Virginia.

Immediately after the adoption of the Constitution, and while New England was reaping a harvest from the trade in African slaves, all the Southern States passed laws prohibiting the traffic. In 1784 Virginia ceded to the United States the vast region of the northwestern territory, and out of this magnificent domain—voluntarily granted to the United States by the patriotism of that noble State—were carved the great States of Ohio, Indiana, Illinois, Michigan, Wisconsin, and part of Minnesota. In the act of cession Virginia stipulated expressly that involuntary servitude, except for crime, should be prohibited throughout this vast domain, and it was so provided. In 1807 the Legislative Council and House of Representatives of the Indiana territory—part of the region ceded by Virginia—unanimously adopted a reso-



lution favoring the introduction of slavery into that territory. These resolutions, with a letter of Governor Harrison, were laid before the House of Representatives the 20th of January, 1807. On the acquisition of the Louisiana territory, in 1803, slavery existed there. Yet this fact was not then made a pretext for the threats which New England made on that occasion, to dissolve the Union. Massachusetts statesmen alleged their grievance to be, not slavery, but that "*the influence of one part of the Union must be diminished, by the acquisition of more weight at the other extremity.*"\*

Mr. Stephens appropriately and justly remarks, in his *War between the States*, that "it is a postulate with many writers of this day, that the late war was the result of two opposing ideas, or principles, upon the subject of African slavery. Between these, according to their theory, sprung the irrepressible conflict in principle, which ended in the terrible conflict of arms. Those who assume this postulate, and so theorize upon it, are but superficial observers." Mr. Stephens might have added that no popular delusion is more diffused, unless it be the twin error, that the South owed her decline to the institution of slavery instead of to sectional legislation. At the adoption of the Constitution New England was interested in the continuation of the African slave trade, as was the South in having slaves counted as part of the basis of representation. The controversy resulted in a compromise. The slave trade was to continue for a limited time, and the South was to secure representation for three-fifths of her slave population.

It is an established fact in history, and it stands forth in clear and bold relief, that at the adoption of the Federal Constitution, in 1789, the slavery question, as such, was not a point of controversy, and the right of a State to withdraw from the compact—without any power in the General Government to *coerce* her—was not denied. Congress expressly recognized the independence of the two States of Rhode Island and

\* *Life and Letters of George Cabot*, p. 334.





North Carolina, in a number of acts relating to the revenue, and passed July 4th, July 20th, September 16th, 1789, and February 8th, 1790.

It is curious and interesting to note the origin, to trace the course of the slavery controversy, and to inquire into the causes which have at last resulted in a consolidation of the Government. The spirit of sectional animosity was contemporary with the earliest colonization. The line between the North and the South was drawn with the settlement of the Puritans in New England and the Cavaliers in Virginia. They represented two distinct and incongruous types of civilization. Their political opinions, their religious views, their social manners, their pursuits and avocations, were radically and diametrically opposed.

The settlers of New England were a proscribed race at home. Their ambitious dream, that the saints should govern England, had been rudely dissipated. These high-flown hopes had given place to an intense hatred of all that sympathized with English loyalty. The council had even refused to grant their request to settle in Virginia, and they were compelled to take up their abode on the bleak and inhospitable shores of Massachusetts Bay. They were sullen, morose, and revengeful, and these evil passions expressed themselves in the extremest forms. Their whole civil polity was grounded upon them; their religious establishment took deep root in them. They lashed the backs, cut off the ears, and hanged by the neck all those who dissented from their form of government or religion. They banished or killed the Baptists and Quakers, and the so-called witchcraft "delusion" was but a pretext to kill, or to strike terror into those who were suspected of being opposed to their peculiar institutions. The poor Indians were the especial victims of their avarice and ferocity. They murdered them by wholesale, and reduced them to slavery, while under the pretense of converting them to Christianity, they sold them rum and stole their lands. The treatment they had received in England,





even as alleged by themselves, was magnanimous in comparison with that which they measured out to those who differed with them.

The pursuits and avocations of the New Englander and Virginian were radically and essentially different. Soil and climate determined this. The New Englander, with painful toil, wrung a scanty subsistence from a reluctant earth, and was only able to subsist by dint of the most rigid thrift and economy. Nature soon taught them that they were not to be an agricultural people. They built ships, hunted whales, fished for cod, and engaged in the African slave trade. They collected into towns, which were governed by their churches, and on every Sunday they heard their own laudations and the most scathing denunciations of all who differed with them in opinion. Under such ministrations their self-pride was inflated and strengthened, and they believed more firmly than ever that "they were God's chosen people," that all without their pale were sinners, who deserved God's wrath and curse, and that *they* were to be the instruments to execute His vengeance.

This communal system of church government has contributed more than all other causes to fan the fires of their animosity towards the South. These people, with few exceptions, led hard lives of laborious toil, and they looked over into Maryland and Virginia, and saw, with envy, the descendants of the Cavaliers in their baronial halls, surrounded by vast landed estates, cultivated by thrifty tenants, and contented negroes: where the bountiful soil yielded abundant harvests to comparatively little labor; and where peace and plenty, ease and prosperity prevailed among all classes of society. Contrasting this quiet happiness with their own hard lot they brooded and they hated. True to the instincts of Puritanism, they longed for a time to come when they could lay waste these fair fields of their hereditary enemies with fire and sword.\*

\* Sherman's March to the Sea.



Ben. Franklin is the best exponent of the New England civilization, and *Poor Richard's Almanac* is its highest gospel. The two chief articles of this gospel are, "Don't pay too much for your whistle;" and "Don't bolt a door with a boiled carrot." Dr. Channing, of Boston, admitted the superiority of Southern statesmen, and frankly confessed that with the North, "Property is the good for which they toil perseveringly from morning to night." He says further: "Even the political partisan among us has an eye to property, and seeks office as the best, perhaps the only, way of subsistence." Their civilization was grossly materialistic. To drive a shrewd bargain in trade or politics was their highest ambition. "As sharp as a Yankee" has long been a proverbial expression. They discarded sentiment as a weakness, and asked "Can honor set to a leg?" There was one great reality—*wealth!* Here was something tangible and substantial. Wealth gave the means to that ostentatious display which is their characteristic, and it also gave power, which in turn could be employed to further increase their riches. Their aristocracy smelt of whale oil and cod-fish, not unmixed with the odors of rum and African slaves. The New Englander felt this; "*hinc illae lacrimae!*"

General Washington, in a private letter to Richard Henry Lee, dated at his camp at Cambridge, 1775, and first published during the late civil war, gives his opinion of the want of honor and the greed of gain that prevailed among these people. General Washington writes: "I have made a pretty good slam among such kind of officers as the Massachusetts government abounds in, since I came to this camp, having broken one colonel and two captains for cowardly behavior in the action on Bunker's Hill, two captains for drawing more provisions and pay than they had men in their company, and one for being absent from his post when the enemy appeared there and burned a house just by it. Besides these, I have at this time one colonel, one major, one captain, and two subalterns under arrest for trial. In short, I spare none, and yet fear it will not all do, as these people seem to be too inattentive to everything but their interest."





What a different picture the civilization of the South presented! If a whistle would add to his enjoyment, the Southern planter *bought it*, regardless of cost. As to boiled carrots, he did not need to bolt his door at all. While the Northern man was engrossed in the pursuit of wealth, the Southern man enjoyed his leisure, devoted his time to thought and reflection, to the chase, and to the charming duties of hospitality. His home, though destitute of garish ornament, was the seat of elegance, refinement, and mental culture. The conduct of his life was regulated by those rules of honor which he had derived from his English ancestors, and his religion was humane and charitable. Mr. Benton said, "he was old enough to have seen (after the Revolution) the still surviving state of Southern colonial manners, when no traveller was allowed to go to a tavern, but was handed over from family to family through entire States: when holidays were days of festivity and expectation long prepared for, and celebrated by master and slave with music and feasting, and great concourse of friends and relations: when gold was kept in chests, after the downfall of continental paper, and weighed in scales, and lent to neighbors for short terms, without note, interest or security; and when petty litigation was at so low an ebb that it required a fine of forty pounds of tobacco to make a man serve as constable."

These two different peoples, existing under such opposing civilizations, were brought together in the contest for independence. Independence was achieved, the Federal Constitution was adopted, and now begins the contest which was to end, in one respect at least, with the war between the States.

New England, true to her Puritan instincts, having failed to hold power in England, was bent on acquiring it here. Were not the Puritans "*God's chosen people?*" They had two well-defined objects in view. The first was to obtain control of the Federal Government. The second was to make the South tributary to them, in the payment of bounties and





protective tariffs for their manufactured articles. Slavery happened to be an incident which attached to the South. Here was a pretext. The political power of the North would be increased if slavery could be kept out of the territories, and with this increase of power would come bounty, navigation laws, and protective tariff legislation. That the Constitution must be subverted, the Supreme Court set at defiance, and untold wrongs be heaped upon the South to accomplish these objects, made no difference to the descendants of these Puritans. It is remarkable to observe how the lines of the anti-slavery agitation and of protective tariff legislation coincide.

The first principal tariff for protection was in 1816, two years after the famous Hartford convention. The war with England had entailed a debt which must be met by an increase of the public revenues. It was urged with great modesty and caution by the Northern manufacturer, that this tariff should contain the feature of incidental protection, and the reason urged was that these manufactures had been called into existence by the war, and had rendered efficient aid to the country, and that they would be utterly destroyed by foreign competition. Upon these grounds Mr. Calhoun, in the honesty of his heart, voted for the bill. *Fatal concession!* This principle of protection was incorporated in the tariff of 1820, and passed the same year with the Missouri compromise. In 1824 it was still further carried out, and in 1828 was passed the "bill of abominations."

The necessities of the revenues had passed away, and in 1831 it was shown that the receipts of the Government were twice as much as was required for current expenses. The South remonstrated, but the avarice of the North was insatiable. The controversy shook the Union to its centre, and the result was, *as usual*, a compromise, in which the South, *as usual*, was the loser. In 1842 the compromise was repudiated by the North, and from 1842 down to 1860 the protective tariff kept its fangs in the heart of the South.



Mr. Benton remarked on the tariff of 1828: "The South believed itself impoverished to enrich the North by this system; and certainly an unexpected result had been seen in these two sections. In the colonial States the Southern were the richer part of the colonies, and they expected to do well in a state of independence. But in the first half century after independence this expectation was reversed. The wealth of the North was enormously aggrandized: that of the South had declined: Northern towns had become great cities: Southern cities had decayed." He says further: "Under Federal legislation the exports of the South had been the basis of the Federal revenue. \* \* \* Virginia, the two Carolinas, and Georgia may be said to defray three-fourths of the annual expense of supporting the Federal Government, and of this great sum annually furnished by them, nothing, or next to nothing, is returned to them in the shape of Government expenditures. That expenditure flows in an opposite direction—it flows northwardly in one uniform, uninterrupted and perennial stream. This is the reason why wealth disappears from the South and rises up in the North. Federal legislation does all this. It does it by the simple process of eternally taking from the South and returning nothing to it." Mr. Benton, in answering the question, "to what cause is the decay of the South to be attributed?" replies, "One universal answer, from all ranks and ages, that it is Federal legislation which has worked all this ruin."

Mr. Toombs said in his speech before the Georgia Legislature in November, 1860: \*

"The instant the Government was organized, at the very first Congress, the Northern States evinced a general desire and purpose to use it for their own benefit, and to pervert its powers for sectional advantage, and they have steadily pursued that policy to this day. They demanded a monopoly of the business of ship-building, and got a prohibition against the sale of foreign ships to citizens of the United States, which

\* Moore's Rebellion Record, vol. 1, Sup. Doc. 45.



exists to this day. They demanded a monopoly of the coasting trade, in order to get higher freights than they could get in open competition with the carriers of the world. Congress gave it to them, and they yet hold this monopoly. \* \* \* This same shipping interest, with cormorant rapacity, have steadily burrowed their way through your legislative halls, until they have saddled the agricultural classes with a large portion of the legitimate expenses of their own business. We pay a million of dollars per annum for the lights which guide them in and out of your ports. We built and kept up, at the cost of at least another million a year, hospitals for their sick and disabled seamen, when they wear them out and cast them ashore. We pay half a million per annum to support and bring home those they cast away in foreign lands. They demand, and have received, millions of the public money to increase the safety of harbors, and lessen the danger of navigating our rivers. All of which expenses legitimately fall upon their business, and should come out of their own pockets, instead of a common treasury.

"Even the fishermen of Massachusetts and New England demand and receive from the public treasury about half a million of dollars per annum as a pure bounty in their business of catching cod-fish. The North, at the very first Congress, demanded and received bounties under the name of protection, for every trade, craft and calling which they pursue, and there is not an artisan in brass, or iron, or wood, or weaver or spinner in wool or cotton, or a calico-maker, or iron master, or a coal owner, in all the Northern or Middle States, who has not received what he calls the protection of his Government on his industry to the extent of from fifteen to two hundred per cent. from the year 1791 to this day. They will not strike a blow, or stretch a muscle, without bounties from the Government. No wonder they cry aloud for the glorious Union! They have the same reason for praising it that craftsmen of Ephesus had for shouting 'Great is Diana of the Ephesians!' By it they get their wealth, by it they levy tribute on honest labor."







Gen. Dabney Maury says in his *Vindication of the South*: "Fifteen years before the war, it was stated officially, from the Treasury Department in Washington, that under the tariff then in force the self-sustaining industry of the country was taxed \$80,000,000 annually, none of which went into the coffers of the Government, but all into the pocket of the protected manufacture." \*

The following from the Rev. R. L. Dabney, D. D., is interesting in this connection. He says:†

"The great State of Virginia made one last effort to save the Union. The convention appointed a commission, consisting of Wm. B. Preston, Alex. H. H. Stuart, and George W. Randolph, as an embassy to the Lincoln government, to communicate to that government the views of Virginia, and demand those of Mr. Lincoln.

"Meanwhile, however, before these ambassadors were dispatched, Mr. Seward sent Allen B. Magruder, as a confidential messenger, to Richmond, to hold an interview with Mr. Jaumez (the president of the convention), Mr. Stuart and other influential members, and to urge that one of them should come to Washington, as promptly as possible, to confer with Mr. Lincoln.

"Mr. Magruder stated that he was authorized by Mr. Seward to say that Fort Sumter would be evacuated on the Friday of the ensuing week, and that the Pawnee would sail on the following Monday for Charleston, to effect the evacuation. These gentlemen after hearing Mr. Magruder's communication, held a consultation and fixed upon Colonel Baldwin, member of the convention, and an original Union man, who did not regard the election of Lincoln in itself as a cause of war, as the proper person to send on this mission.

"Colonel Baldwin and Mr. Magruder set out on the night following, and arrived in Washington early next morning.

\* So. His. Papers, vol. 1, p. 55.

† So. His. Papers, June, 1876.



Immediately after breakfast they drove to Mr. Seward's, when the latter took charge of Mr. Baldwin, and the two went directly to the White House, where they arrived about nine o'clock. They found Mr. Lincoln engaged, but upon Mr. Seward's whispering in his ear, he excused himself and conducted Mr. Seward and Colonel Baldwin into a sleeping apartment, and locked the door."

After the usual formalities, Colonel Baldwin presented his credentials. After Lincoln had read the credentials, Colonel Baldwin proceeded to state to him what was the opinion of the great body of Virginia, both in the convention and out of it. This opinion was as follows, to wit: "That although opposed to a presidential election upon a sectional, free-soil platform, which they deplored as most dangerous and unwise, Virginia did not approve of making that, evil as it was, a *casus belli*, or a ground for disrupting the Union. That much as Virginia disapproved it, if Mr. Lincoln would only adhere faithfully to the Constitution and the laws, she would support him just as faithfully as though he was the man of her choice, and would wield her whole moral force to keep the border States in the Union, and to bring back the seven seceded States. But that while much difference of opinion existed on the question, whether the right of secession was a constitutional one, all Virginians were unanimous in believing that no right existed in the Federal Government to coerce a State by force of arms."

To this Mr. Lincoln replied: "You are too late, sir, *too late!*"

Colonel Baldwin understood this as a clear intimation that the policy of coercion had been determined upon, and within the last four days. In the latter part of his conclusion he was probably mistaken. It is more probable that this policy had been determined upon from the first, and that Lincoln's message to the president of the Virginia convention was a cunning falsehood, in keeping with the duplicity and treachery of the administration, designed to gain



time to put the South in the *apparent* attitude of becoming the aggressor, and thereby working up and inflaming the war feeling of the North, and giving color to the pretext that the war, on their part, was a *defensive* one.

Impressed with the deep solemnity of the occasion, Colonel Baldwin made a final appeal. "He endeavored to make the President feel that Providence had placed the destiny of the country in his hands, so that he might be forever blessed and venerated as the second Washington—the savior of his country, or execrated as its destroyer." The President then asked, "What policy did the Union men of Virginia advise?" Colonel Baldwin replied, "that one single step would be sufficient to paralyze the secession movement and to make the true friends of the Union masters of the situation." Unjust as was the claim of free-soil, it was not that which was the cause of alarm to the border States, but it was the claim of the right of coercion. The attempt to exercise coercion would be the death-knell of constitutional union, and so a thorough revolution of the Federal Government. If, then, the President "would only give the public assurance, in a proclamation of five lines," pledging his administration to respect the Constitution and laws and the rights of the States, to repudiate the power of coercing seceded States by force of arms, to rely upon conciliation and enlightened self-interest in the latter to bring them back into the Union, and meantime to leave all questions at issue to be adjudicated by the constitutional tribunals, that then, "we pledge ourselves," said Colonel Baldwin, "that Virginia (and with her the border States) will stand by you as though you were our own Washington."

Lincoln asked a few questions, the last of which was, "*What, then, would become of my tariff?*" He put this question with such force of emphasis, as clearly indicated that this consideration should decide the whole matter. Hereupon Colonel Baldwin was dismissed, and the interview was at an end.

The ambassadors above referred to proceeded to Washing-







ton upon the return of Colonel Baldwin. They saw Mr. Lincoln; the tariff was still the burden of his complaint. But his declarations were distinctly pacific, and he expressly disclaimed all purposes of war. The ambassadors left the next day, and the same train which carried them to Virginia carried also *Lincoln's proclamation for seventy-five thousand troops!*

It may be that Seward was sincere in promising the commissioners from Montgomery, through Judge Campbell, that Sumter should be evacuated. It may be that Lincoln, in the meanwhile, had abandoned the policy of Seward, and embraced that of Thad. Stevens. If he did it is only a super-numerary evidence that the war was made in the interest of protective tariffs, and Thad. Stevens carried coercion for the benefit of the iron manufacturers of Pennsylvania.

Under the bounty, navigation and protective tariff laws, the South paid millions of tribute money to the North. Her commercial subjugation was as complete as her political subjection under the *District* generals in 1865. The amount of money thus extorted from the South far surpasses the cost of prosecuting the late war on both sides; it is greater than the combined national debts of England and the United States. Human imagination staggers in the effort to contemplate it.

Under this fatal drain of life-blood, Southern cities fell into decay, Southern ships no longer ploughed the sea, and grass grew upon the wharves of Southern ports. The South ceased to export her own products and to import her own goods. She had no surplus capital for manufacturing establishments, nor for building railroads and canals. Her substance was emptied into the capacious maw of Northern greed. Her glory had departed, and only her enormous resources saved her from utter bankruptcy and ruin.

The South, which at the adoption of the Constitution was universally regarded as the seat of future empire, had been reduced to the condition of a tributary Turkish province. As the South declined, the North advanced. Her enormous



robberies made her rich. She multiplied manufactures, built more ships, constructed immense lines of railroad and canals, built new cities with amazing rapidity, and did the carrying trade for all the States.

This wrong and outrage did not pass without a protest on the part of the victim. Unfortunately, the protest was not made with sufficient vigor. It is true that the tariff controversy of 1832-'33 caused the pillars of the Union to totter to their foundations, and that South Carolina passed what is popularly known as the nullification acts. The North receded, a compromise was effected, and South Carolina then, and not until then, repealed her statute. But the South little knew with what a wily and treacherous foe she had to deal. When the danger was passed the North violated the agreement, and again levied protective mail.

It is futile to speak of what ought to have been done, but in the light of subsequent events, it is sufficiently clear that the South should then have resisted this disregard not only of plighted faith, but of the Constitution itself, to the end of separation. What was the value of pledges? What were guarantees worth? What did the Constitution avail? *Nothing!*

Let us now return and trace briefly the history of the anti-slavery agitation. The North dared not to attack slavery at once. The adoption of the Constitution had been of too recent date; so the fugitive slave law of 1793 was passed without a dissenting voice in the Senate, and by a vote of forty-eight to seven in the House of Representatives. Public opinion at the North favored the return of such fugitives. The anti-slavery movement was formally organized in 1814, when the famous Hartford convention assembled. It was this convention which proposed to deprive the South of her slave representation. The Missouri compromise of 1820, which bounded slavery by a parallel of latitude, drew the sectional lines and established a political North on the one side and a political South on the other. The South gained Mis-



souri—fatal acquisition!—at the expense of a virtual surrender of a principle, and of her rights in the territory north of the line. The next struggle was over the vast domain of Texas, which was admitted as a slave State, but the territory acquired by the war with Mexico was lost. In 1850 California was admitted as a free State, in violation of the Missouri compromise, and South Carolina threatened secession. Under Pierce's administration, Douglas reported the Kansas-Nebraska bill, which declared that the Missouri compromise was abrogated by the compromise measures of 1850, and the admission of California as a free State. The bill passed and the South thought it had won a triumph in the repeal of the Missouri compromise. Little did she reckon on the double-dealing and play upon words which the demagogue Douglas intended to make, in order to regain popular favor at the North, which an honest construction of his bill had lost him. For lo! the thimble-rigger turned up "popular sovereignty," which gave to the territory, in its territorial capacity, the right and power to exclude slavery.

The determination of the North to destroy slavery, and their reckless defiance of the Constitution, was seen in the debate on the Kansas-Nebraska bill. Mr. English, of Indiana, asked, "Is there a Southern man here who will vote against the admission of Kansas as a free State, if such be the undoubted will of the people of that territory?" And there was a universal response, "not one," from the Southern side. Mr. Barksdale, of Mississippi, put the question to the Republicans, if they would vote for the admission of Kansas as a slave State, if such were the will of her people? Mr. Giddings, of Ohio, replied, that "he would never vote to compel his State to associate with another slave State;" and Mr. Stanton added, "I will say that the Republican members of this House, so far as I know, will never vote for the admission of any slave State north of 36° 30'."

The contest for power on the part of the North, under the pretext of opposition to slavery, now exhibited an immense in-







crease of strength. In the campaign of 1852 Hale, the abolitionist, did not receive the vote of a single State, and less than 200,000 of the popular vote, but Republicanism swept the Northern States, and Banks, a Massachusetts abolitionist, was elected Speaker of the House in the Thirty-first Congress. The election of 1856 showed for Fremont and Dayton 114 of the 296 electoral votes, representing one-third of the popular vote, and that, all in *one section*. In 1859 the John Brown raid followed, and the manifestations of approval of his murderous purposes which took place in the Northern towns and cities, and the indorsement of the Helper book, which, added to the increased Republican majorities, left the South but little room for hope. Up to this period the co-operation of the Northern Democrats with the South had saved the Union. The disintegration of that party at the Charleston convention, and the election of Abraham Lincoln as a sectional President, precipitated the crisis, and winged away the last hope. Remonstrance had been tried and failed. A deaf ear was turned to the appeals of justice. There was no hope in political power; for the preponderance was in black-Republican hands, and was increasing. There was none under the Constitution, for its obligations were no longer observed. Lastly, there was none in the Supreme Court, for Lincoln had been elected on a principle which that court had declared expressly to be unconstitutional.

The abolition party in its origin was obscure and insignificant. It did not even rise to the importance of a faction. Its advocates were regarded as a pack of crazy fanatics. It was not the purpose of the Free-soil party, or of the Republican party, which succeeded it, to interfere with slavery in the States. Power, with its pecuniary advantages, was all they aimed at, and if the South could be kept out of the Territories this power could be secured. In addition to this the South was their great source of profit, and the moneyed men of the North, who have always controlled the legislation, feared that a revolution in the labor system of the South



might kill the goose that laid *their* golden eggs. Meanwhile the abolition sentiment was spreading and permeating the great middle class of the Northern people. This sentiment was the great tap-root which fed the Republican party with life-giving substance. To it the Republican party owed its growth, its influence, and what of sincerity there might have been in it. The abolitionists were logical and consistent; the Republicans, as a political party, were not only illogical, but dishonest. The abolitionists said slavery was a crime and ought to be abolished. If their premise was right the conclusion was irresistible. The Republicans assented to the same premise, but stopped before reaching the inevitable result. They paltered in a double sense. To the abolitionists they said, "your principles are just and true and we are in accord with you." To the South they said, "it is not our purpose to interfere with slavery in the States; we confine ourselves to resisting its extension into the Territories." The abolition party grew apace and increased in numbers in a greater ratio than did the Republican party. It possessed more vigor and aggressiveness—the restless energy that is born of religious fanaticism. It did not seek for office and pecuniary profit. Without these incentives the Republican party would never have existed. The abolitionists were never clamorous for a protective tariff. The Republicans made slavery a pretext to fasten such a *tariff* on the country. The abolitionists honestly said that the Constitution was a guarantee of slavery, and hence they denounced it as a "covenant with hell." The Republican tricksters pretended that slavery was not in the Constitution, and existed only in virtue of local law. The path of the abolitionists was plain, straight-forward and direct before them; that of the Republicans was tortuous and difficult. Their Janus face turned one way to the North and another way to the South. Above all things they courted the abolitionists, who had succeeded in capturing the machinery of the churches, most potent with the average rural populations. But these one-idea zealots would hear to no compro-





mise. Janus must put off one of his faces. Janus did, and the Republican party was finally merged and overwhelmed in the impetuous torrent of abolition fanaticism.

The first duty of the Government, said the abolitionists, was to exterminate slavery, root and branch, regardless of the Constitution, the Union, the laws, solemn compromises, compacts and plighted faith. They did not hesitate to declare their purpose in the most explicit and unmistakable language. Garrison and his colleagues proclaimed that the Constitution was "a covenant with death," and the Union "a league with hell," because slaves were recognized as private property, and as such protected under both.

The American Anti-Slavery Society resolved, that "secession from the United States Government is the duty of every abolitionist." And why was secession a duty? *Because the Constitution warranted and justified every demand of the South.*

It was the pressure from this powerful party that moved the wily Seward to throw himself into its arms and to declare the doctrine of the "irrepressible conflict between opposing and enduring forces." Under the same pressure the New York *Tribune* published the lines—

"Tear down the flaunting lie,  
Half-mast the starry flag,  
Insult no sunny sky  
With hate's polluted rag."

Thus the abolitionists triumphed over the Republicans and absorbed them in the fusion. Wendell Phillips was justified in saying that "the Republican party is a party of the North, pledged against the South." Mr. Lincoln afterwards echoed Mr. Seward, and declared that "the Union could not permanently exist half slave and half free." To get rid of the guarantees of the Constitution Mr. Seward brought forward his principle of a "higher law" than the Constitution, to which obedience was first due. Thad. Stevens, "the Great Commoner," said, with infinitely more honesty, in reference

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to war legislation, "In all this business we act outside of the Constitution."

These were not the views and utterances of private individuals, but of great and trusted leaders of a powerful element of Northern society. They made these declarations with all due form and solemnity, and because popular sentiment demanded such expressions. The election of Lincoln witnessed the final and complete triumph of the abolition principle, the full organization of a sectional Northern party, rooted and grounded in a sense of hostility to the South, and boldly avowing its purposes and aims. And this party was in control of the Federal Government—a government designed for the security and protection of the people of *all* the States!

The doctrines of the abolition party were not enounced with calmness and the absence of feeling, which should characterize the formulation of grave political principles. On the contrary, their expression was accompanied with an abiding and bitter malignity towards the Southern people. Envy and hatred were formulated with the leaven of Puritanism. The most influential Northern churches rang with fierce denunciations of Southern slave-holders, even refusing them Christian fellowship and communion. The satanic press agonized in the search of epithets to apply to the "slave-drivers." The public speakers and lecturers took up the refrain as the surest passport to popularity and profit. The most popular verses were those which depicted the horrors of slavery. The most popular book ever printed in the North was "Uncle Tom's Cabin." In its *lying* pages the South was represented under the type of a blood-hound. The people of the North were taught to look upon slave owners as wolves to be exterminated. The "underground railroad" stole negroes from the South and run them into the free States; the fugitive slave law could not be executed. The preachers took up collections in their churches to send Sharp's rifles into Kansas to kill pro-slavery



men. Old John Brown, a Kansas ruffian, led a band of assassins into Virginia to apply the midnight torch, to murder the unarmed and defenseless, and to stir up a servile insurrection, with all its horrors.

It is an undeniable fact that all this was either justified or palliated by the abolition party. Far worse than all, was the spirit and motive of the North towards the South as exhibited, without effort at concealment, in the joint declarations of sixty-nine black Republican members of Congress, chief among whom was Steward. It might be alleged that the John Brown raid was not representative of the dominant Northern sentiment, but such an allegation could not be made, with any shadow of truth or reason, with regard to these joint declarations. The publication of this document and the amazing growth of abolitionism which it revealed, left the most thoughtful minds of the South no hope of remaining in the Union, consistent with safety and with honor.

The sixty-nine say to the South: \* "Frown, sirs; fret, foam, prepare your weapons, threaten, strike, shoot, bring on civil war, dissolve the Union; nay, annihilate the solar system if you will; do all this—more, less, better, worse—anything; do what you will, sirs—you can neither foil nor intimidate us: our purpose is as fixed as the eternal pillars of heaven. We have determined to abolish slavery and—so help us God!—we will! \* \* \* Our banner is inscribed, 'No co-operation with slaveholders in politics; no fellowship with them in religion; no affiliation with them in society; no recognition of pro-slavery men, except as ruffians, outlaws and criminals.' \* \* \* We believe it is, as it ought to be, the desire, the determination and the destiny of the Republican party to give the death-blow to slavery. \* \* \* In any event, come what will, transpire what may, the institution of slavery must be abolished. \* \* \* It is our honest conviction that all the pro-slavery slaveholders

\* *Helper's Impending Crisis.*





deserve to be at once reduced to a parallel with the basest criminals that lie fettered within the cells of our public prisons. \* \* \* Compensation to slave owners for negroes! Preposterous idea! The suggestion is criminal, the demand unjust, wicked, *monstrous, damnable!* Shall we pat blood-hounds for the sake of doing them a favor? Shall we feed the curs of slavery to make them rich at our expense? Pay these whelps for the privilege of converting them into decent, honest, upright men?"

Mr. John Sherman, of Ohio,\* was one of the sixty-nine, who addressed this language to the people of the South, and for nearly two months he was supported by more than three-fourths of the black Republican party for Speaker of the House in 1859.

These sixty-nine represented their constituents, and the few Republicans who had not yet come up to this orthodox standard were driven to it by those whom they represented. Could anything be plainer? Could the South any longer doubt? The language of 1861 was like in kind and proceeded from the same source. The New York *Tribune*, which best represented the black Republican party, voiced this malignity in words for which history does not afford a parallel. The New York *Tribune* of May 1, 1861, said: "But nevertheless we mean to *conquer* them, not merely to defeat, but to *conquer* and *subjugate* them. But when the rebellious traitors are overwhelmed in the field and scattered like leaves before an angry wind, *it must not be to return to peaceful and contented homes! They must find poverty at their firesides, and see privation in the anxious eyes of mothers and the rags of children.* The whole coast of the South, from the Delaware to the Rio Grande, *must be a solitude!*"

Not less *diabolical* was the pulpit. Dr. Tyng said, addressing a public meeting in New York: "He would not meet pirates on the deck and call it warfare. He would hang them as quick as he would *shoot a mad dog.*" Beecher remarked:

\* At present U. S. Senator.





"Oh, that the South would go; but then she must leave us her lands."\*

The only hope of safety for the South was in separation.

As late as 1830 Mr. Madison said: "It still remains to be seen whether the Union will answer the ends of its existence or otherwise." He had already said that, "if the Union was inconsistent with the public happiness, abolish it." And now Mr. Madison's apprehensions were about to be realized.

The South began to cast about, and take into serious consideration, the question of exercising the reserved rights of the States. This involved a separation. The South was purely and devotedly attached to the Union, not from a love of gain, not because the Union was profitable in a material sense (for in this respect it was a burden), but from sentiment. From the South had come the greater part of the leading spirits of the Revolution. She had supplied all the Presidents, from Washington to John Quincy Adams, with the exception of the one term of John Adams—and Virginia had given to the Union the great West. It was hallowed by a thousand associations, and had been baptized in the best blood of her sons. Nothing but the extremity of self-preservation could move the South, even to an earnest contemplation of the remedy of secession. But the extremity was rapidly approaching, and the South reflected.

Mr. Buchanan, in the history of his administration, says: "The right of secession is not a plant of Southern origin—it first sprung up in the North." Mr. Buchanan was right. The Hartford convention declared that "when emergencies occur which are either beyond the reach of the judicial tribunals, or too pressing to admit of the delay incident to their forms, States, which have no common umpire, must be their own judges and execute their own decisions." Nowhere is the doctrine of secession more strongly expressed, and the men who announced it represented the best thought of all the New England States. The motives which prompted the

\* New York Herald.



delegates to this convention have been severely and justly criticised, but the right of those States to withdraw from the Union was not denied. The adoption of the Constitution and its contemporaneous interpretation was yet too fresh in the minds of men to admit of any doubt on this question. Colonel Pickering, of Massachusetts, Secretary of State under Washington's administration, and long a United States Senator, wrote, 1803: "I will not yet despair; I will rather anticipate a new confederacy, exempt from the corrupt and corrupting influence and oppression of the aristocratic Democrats of the South. There will be (and our children at farthest will see it) a separation." A few weeks afterwards he writes: "A Northern confederacy would unite congenial characters and present a fairer prospect of public happiness. \* \* \* It (the separation) must begin in Massachusetts."\* And this he claimed, as a right to be peaceably exercised.

In 1811, on the bill for the admission of Louisiana, Josiah Quincy, of the same State, said: "If this bill passes, it is my deliberate opinion that it is a virtual dissolution of this Union."

During the Texas controversy the Legislature of Massachusetts in 1844-'5, declared the doctrine of reserved rights and State sovereignty in the most explicit terms. It said it would "submit to undelegated powers in no body of men on earth." \* \* \* "The project of the annexation of Texas, unless arrested on the threshold, may tend to drive these States into a dissolution of the Union." The same legislature also adopted and forwarded to Congress resolutions which set forth that "the admission of Texas would have no binding force on the people of Massachusetts."

Since that time, and previous to 1861, New England, by means of protective tariff and other sectional legislation, had grown rich off the South, had experienced the pecuniary profit that she had gained in the Union, and modified her views of the nature of the Government accordingly. But

\* Life of Cabot, pp. 338-349.





the nature of the Government remained the same, notwithstanding this revolution of political opinion—or rather pretense of opinion—on the part of the North.

No respectable writer or speaker has yet had the hardihood to deny that under the old Confederation each State was a separate and distinct sovereign and nationality. The Convention which framed the Federal Constitution was called *solely* to revise the Articles of Confederation. But eleven of the States formed a new compact and withdrew from the old form, leaving out Rhode Island and North Carolina, although, by its very terms, the old articles were declared “to be perpetual.” This the States, entering into the new compact, had a right to do as sovereigns. The States did not lose their sovereignty under the new compact. The new compact or constitution did not even declare itself to be perpetual, as did the articles, and it is a noteworthy fact that all the grants of power in the Constitution, which are relied upon as proving that the States had parted with their sovereignty, existed equally under the old Confederation. Mr. Madison, “the father of the Constitution,” says in the *Federalist*, speaking of this change, “the change consists much less in the addition of new powers than in the invigoration of its original powers.” Again he says: “The truth is, that the great principles of the Constitution proposed by the Convention may be considered less as absolutely new than as the expansion of principles which are found in the Articles of Confederation.”\*

Speaking further of these principles, he says: “I ask what are these principles? Do they require that in the establishment of the Constitution, the States should be regarded as distinct and independent sovereigns? They are so regarded by the Constitution proposed.” In other words, and in the language of Mr. Davis, “it was an amended union, not a consolidation.”†

\*Federalist, No. XL.

†Rise and Fall of the Confederate Government, vol. 1, p. 170.





There were those in the Convention who desired a national or consolidated system, but they were few in number and were overwhelmed by the opposition to such a radical and revolutionary change. Gouverneur Morris' proposition to submit the Constitution for ratification to the people at large was, as Mr. Madison tells us, not even seconded. Everything which looked towards a national system was unqualifiedly repudiated and voted down. Mr. Madison said the Government was not national but federal, because it did not depend for its ratification upon a majority of the people, but upon the assent of the States who were parties to it. Such also was the opinion of Jay and Gouverneur Morris. Hamilton, the leader of the national school, after failing to secure the system he desired, admitted its federal character, and declared it to be, on that account, "a frail and worthless fabric."

It was States that were represented in the Convention. It was States that adopted the Constitution. The expression, "we, the people," was well understood in the Convention to mean the people of the ratifying States acting in their organic and sovereign capacity. As originally drafted, after this expression, "we, the people," followed the name of each respective State. But this was changed to the present phraseology, because it was not known what States would ratify, and hence the names of the States could not be inserted beforehand. Upon this expression, and with a full knowledge of the attending circumstances, the consolidationists have grounded their strongest argument. To such pitiful evasions have they been reduced! It may be proper to remark just here that the provision in the Constitution that it shall be "the supreme law of the land," &c., received a contemporaneous construction by our own Judge Iredell. He said: "What is the meaning of this? \* \* \* It is saying no more than that when we adopt the Government we will maintain and obey it; when Congress passes a law consistent with the Constitution



it is to be binding on the people." He said again: "The power that created the Government can destroy it." Judge Iredell was laboring to secure the adoption of the Constitution in North Carolina, as Mr. Madison was in Virginia. The great overshadowing fear of the States—*of all the States*—was that by acceding to the new compact they might in some way impair their sovereign rights. To remove this unfounded apprehension Judge Iredell and Mr. Madison devoted their best efforts. It only remains to be mentioned in this connection that the provisions for the amendment of the Constitution and the jurisdiction of the Supreme Court present no difficulty whatever, when we consider that the Constitution is a compact, and that the fundamental character of the General Government is that of an agent exercising delegated powers.

There is much in a word. The title *United States*, which has now come to mean a geographical division of the surface of the earth, was employed to designate sovereigns before the adoption of the articles. It was retained in the same identical sense in the articles, and brought forward with the same signification in the new Constitution.

Chief Justice Marshall said the Union was nothing but "a league" between sovereign States. The Supreme Court has often decided that the Union was a compact. Lord Brougham said the Union was a "treaty," a "great league." All the great European writers on international law unite in saying that in *confederate republics*, sovereignty resides in the several States that compose it. Hamilton said the Union was a "*Confederate Republic*."

It may be mentioned in this connection that, from 1822 to 1861, *Rawle on the Constitution* was a text-book at West Point.\* It was introduced into the course when Mr. Calhoun was Secretary of War. This work assumes throughout the sovereignty of the States, and as Gen. D. H. Maury says, "the right of secession is distinctly set forth by him." †

\* Thus, the Confederate Generals who received their education at West Point were simply carrying out in good faith what was taught them there.

† So. His. Papers, vol. 6, p. 249.





Mr. Justice Story may be regarded as the father of the school of consolidation. We have already seen that there were nationalists, or consolidationists, in the Convention which framed the Constitution, and we have seen also that when these men failed to establish the kind of government they desired, they loyally admitted their defeat and recognized the federal character of the Constitution.

In 1832-'33, when the North had become the great manufacturing and commercial section, and the Union had consequently become a source of immense profit to its people, and the South, as a beast of burden, loaded to the earth with protective tariffs, it was feared that the further recognition of the federal principle might be dangerous to the perpetuity of the Union and to protective tariffs. So that principle must be rooted out. Mr. Story undertook to do it. It is unnecessary to remark further upon his effort in this direction than to say, that it exhibits all the petty sharpness of the special pleader, that it was written for a sectional purpose and in a sectional interest, that it notoriously perverted the truth of history, and was in diametrical opposition to the teachings of all the fathers who had given a contemporaneous interpretation of the Constitution. But it was reserved for another to sow broadcast the seeds of poison, which have already yielded for a harvest one civil war, which has produced a radical revolution in the character of the Government, comprising, among other things, the practical abolition of the States and the establishment of a "*Nation*" upon their ruins. This was Mr. Webster.

Of Mr. Webster, personally, it is hardly necessary to speak. He was a man of brilliant talents, but destitute of genius and incapable of profound reflection. He acquired a vast fund of information with great ease, and held it in a ready memory, to be arranged and classified as might best suit the immediate object he had in view. This, united with quick perception, a vivid imagination, and a wonderful faculty of rapid combination and arrangement, rendered him a skillful extempore debater, and a dangerous opponent before the masses. His





mental characteristics were of the same nature as his moral habits. Both were loose and versatile. He was powerful before a jury—weak before the Supreme Court of the United States. He was not without some flashes of heroism, but these were mere transitory gleams. He lacked a sturdy manhood. There was no fixed star, towards which he pursued his path, regardless of the ground, unswerving to the right or left. He lacked a well-grounded and abiding political principle, by which to steer a straight-forward course. He moved by fits and starts—now on this side of the line and now on the other. He was fickle, inconsistent and uncertain; but always brilliant. He was gifted with the power of oratory in a remarkable degree, and was immensely popular. Above all things he was the *advocate*, speaking for Massachusetts and the interests of Massachusetts, in the Senate, not as a statesman, not as a virtuous judge upon the bench, but as the feed attorney in a cause at law. He was, in every respect, the direct opposite of Mr. Calhoun, whose strength rested upon the granite foundation of the truth as set forth in the Constitution, as explained by the men who framed it, and as interpreted in one voice and language by the fathers and founders of the Government.

Mr. Webster said, in his rejoinder to Mr. Hayne, in the Senate in 1830: "When the gentleman says the Constitution is a compact between the States he uses language exactly applicable to the old Confederation. He speaks as if he were in Congress before 1789. He describes fully that old state of things then existing. The Confederation was, in strictness, a compact: the States, as States, were parties to it. We had no other General Government. But that was found insufficient and inadequate to the public exigencies. The people were not satisfied with it and undertook to establish a better. They undertook to form a General Government, which should stand on a new basis—not a confederacy, not a league, not a compact between States, but a Constitution."\* \* \*

\*Gales and Seaton's "Register of Congressional Debates," vol. 6, part I, p. 93.



¶ Again he says: "The word 'accede,' not found either in the Constitution itself, or in the ratification of it by any one of the States, has been chosen for use here, doubtless not without a well-considered purpose. The natural converse of accession is secession; and, therefore, when it is stated that the people of the States acceded to the Union, it may be more plausibly argued that they may secede from it. If, in adopting the Constitution, nothing was done but acceding to a compact, nothing would seem necessary in order to break it up but to secede from the same compact. But the term is wholly out of place. Accession, as a word applied to political associations, implies coming into a league, treaty, or confederacy, by one hitherto a stranger to it, and secession implies departing from such league or confederacy. The people of the United States have used no such form of expression in establishing the present Government.\* \* \* \*

This is the reason, sir, which makes it necessary to abandon the use of constitutional language for a new vocabulary, and to substitute in the place of plain historical facts a series of assumptions. This is the reason why it is necessary to give new names to things; to speak of the Constitution not as a Constitution, but as a compact; and of the ratifications by the people, not as ratifications, but as acts of accession."†

It was to this speech, more than to any other effort of his life, that Mr. Webster owed the title of the "Great Expounder of the Constitution." To say the least, it was late in the day when the "Great Expounder" first appeared—over forty years since the adoption of the instrument. To use the plain truth, if the word "perverter" be substituted for "expounder," then Mr. Webster is characterized with exact precision. But the truth demands that more than this be said. It demands that the duplicity of Mr. Webster be exposed. This is no pleasant duty, and it is approached with reluctance and regret.

\* Congressional Debates, vol. 9, part 1, p. 556.

† Ibid, pp. 557, 558.





Mr. Webster was the idol of his section. He was there regarded as the greatest statesman that America had ever produced. The shades of Washington, of Jefferson, of Madison; yes, of Jay, of Hamilton, of Gouverneur Morris, paled before the glory of his renown. The teachings of these fathers were cast aside, and men received with rejoicing the new light of this bright star, which now for the first time made its appearance above the horizon. A true prophet had at length arisen, and after waiting for more than a generation, the Constitution had at last found an interpreter! The old truths were tame when compared with his fervid utterances. The old theory of the relation of the States to the General Government appeared small and narrow, when contrasted with his enlarged views. The vision of a great nation, the obliteration of State lines, except as geographical boundaries, and the absolute rule of the numerical majority, untrammelled by constitutional restrictions, was now clearly outlined for the first time. The people hung with rapture upon his artistic combination of language and the graces which accompanied its expression. It was as if one of the gods had come down and spoken with men. And yet in this very speech, the essence of which has been above quoted, and which was the crowning effort of Mr. Webster's life, he was guilty of a willful perversion of what he knew to be the true meaning of terms, he intentionally misrepresented the facts, and deliberately, and with a purpose premeditated, imposed upon and deceived the people. He says: "They (the people) undertook to form a General Government which should stand on a new basis—not a confederacy, not a league, not a compact between States, but a *Constitution*." What is a *constitution*? What is the plain and unambiguous meaning of that word? It means nothing more or less than a *form of government*—any form. The term constitution is a noun substantive, and is employed to denote the manner in which a thing is constituted. When applied to government it signifies the mode or manner in which the government is constituted.



The constitution may be democratic, aristocratic or monarchical; it may be national or it may be confederate. The constitution of the German confederation, of the Dutch republic, and of the American States, under the old articles was that of a "confederacy," a "league," a "compact." The term constitution was applied to them with the strictest accuracy and propriety. Mr. Webster knew this, and yet he wrests the word from its true meaning, coins for it a new signification, before unheard of, employs it *as opposed* to "a confederacy," "league," or "compact," and attempts to palm off the fraud upon the public mind! If this is not a perversion of language, what is it? The supposition that Mr. Webster did this through ignorance is too gross a reflection upon his intelligence, to be entertained for a moment. It is proper to remark in this connection, that Noah Webster, the lexicographer, was a staunch States-rights man. His *own* dictionary was published in 1844, and its political vocabulary had States-rights definitions. In 1864 a work, purporting to be the same, was published by a noted writer of school-books, especially histories, in which new definitions of the consolidated school were *forged* to these words, and the book was, and still is, passed off as the work of the original author. This caused its indorsement by the Departments of the Government and added largely to its sale—and the profits of the editor.

It is not surprising that erroneous political views should obtain even at the South, when we are indebted to the North not only for our school-books, but for a knowledge of the English language. So sedulously has this perverted meaning of words been employed by Northern writers, and with such effect have these false significations been driven into the public mind of the North, through school-books and all the methods of popular instruction, that, were you to ask one of "the cultured," in that region, the meaning of the word "State," you would be smiled upon in pity for your ignorance, or, if an answer were vouchsafed, you would be told





that a State was a part of the United States; that New York or Massachusetts was a State. If you should mildly suggest that Great Britain was a State, that France was a State, you would be corrected, by an amazing condescension and complacency of self-conceit, and informed, that these were "Nations," not "States!" So, too, the word "Federal" has been wrenched from its etymology and true meaning, and has now come to be understood in the *very opposite sense* from that in which it was used by the framers of the Constitution. So much for Northern writers and forged dictionaries. But to return. Mr. Webster says: "This word 'accede,' not found in the Constitution itself, or in the ratification of it by any one of the States, has been chosen for use here, doubtless not without a well-considered purpose."

After intimating that this purpose was secession, he proceeds: \* "This is the reason, sir, which makes it necessary to abandon the use of constitutional language for a new vocabulary and to substitute, in the place of plain historical facts, a series of assumptions. This is why it is necessary to give new names to things; to speak of the Constitution, not as a constitution, but as a compact; and of the ratifications by the people, not as ratifications, but as acts of accession."

It will be observed, in the first place, that in this passage Mr. Webster again perverts the term "constitution," and employs it as opposed to compact. The thoughtful reader will also perceive the straits to which he is reduced by the use of the terms "ratifications" and "acts," *in the plural*. If the adoption of the Constitution was the work of the people as *an aggregate unit*, then there would be but *one* ratification, but *one* act. To use these terms in the plural necessitates the use of the term "people" in the plural, but this would be to admit that the ratification was by the States—which was the fact—but which he impliedly denies.

Mr. Webster was sharp. He was a lawyer by profession, and employed the same method in the United States Senate

\* Congressional Debates, vol. 9, part 1, pp. 557, 558.





that he employed before a jury. He often hints more than he expresses, and cunningly creates a false impression by an insinuation. He thus shields himself from attack, and can deny making a positive statement. Thus, *because* the words "accede" and "compact," are not found in the Constitution or in the ratifications, he would have us *infer* that the States did *not* accede, and that the Constitution was *not* a compact. Such a pretense of argument is either puerile or dishonest. A bank check does not bear upon its face the words, "this is a bank check," nor does the revealed word of God anywhere call itself the "Bible." The question of compact or not is a question of fact to be ascertained from the circumstances attending the framing and adoption of the instrument, and from its general character and aim. The old Articles of Confederation, which Mr. Webster himself says was a league or compact, nowhere declares it to be such. And Mr. Webster's argument is equally valid to prove that it was not a compact. But these very terms, "accede" and "compact," are the very terms which *were* in constant use by the framers of the Constitution and their contemporaries.

Mr. Gerry, of Massachusetts, said in the convention of 1787: "If nine out of thirteen can dissolve *the compact*, six out of nine will be just as able to dissolve the new one hereafter."

Mr. Gouverneur Morris\* said, in the same convention: "He came here to form a *compact*;" and he employed the term repeatedly.

Mr. Madison† said: "The nature of the *pact* has always been understood," &c.

Mr. Hamilton,‡ who was the strongest of all the advocates for a consolidation, speaks of the new government repeatedly, in the *Federalist*, as a "Confederacy," as a "Confederate Republic," and calls the Constitution "a compact." General Washington referred to the Constitution as a com-

\* Madison Papers, pp. 1081, 1082.

† Ibid. p. 1184.

‡ Federalist, Nos. IX, LXXXV.



pact or treaty, and employs the terms "accede" and "accession." New Hampshire, Mr. Webster's native State, declared, in her act of ratification, that she accepted it (the Constitution) as a "compact of the States *with each other*."

Massachusetts, on her ratification, declared that she was entering into "*a solemn compact*."

All this Mr. Webster knew, and yet he had the effrontery and dishonesty to declare that the employment of the terms "accede" and "compact" was the introduction of a "new vocabulary," and the substitution, "in the place of plain historical facts, a series of assumptions!"

Mr. Webster says again, in the same speech: "It can not be shown that the Constitution is a compact between State governments. The Constitution itself, on its very front, refutes that proposition: it declares that it is ordained and established by the people of the United States. So far from saying that it is established by the governments of the several States, it does not even say that it is established by the people of the several States; but it pronounces that it is established by the people of the United States in the aggregate."

The fact which explains the expression, "we, the people of the United States," has already been stated, and Mr. Webster knew it, or ought to have known it. Without any explanation of the expression *at all*, it is not true that it refutes the doctrine of a compact.

It is *people* who constitute a State, and taking this expression, isolated and alone, without another single fact to aid in its interpretation, it is as fair to construe it "*we, the people of the States united*" (which is the French and Spanish idiom), as, "we, the people of the United States, in our aggregate capacity as a unit."

Mr. Webster had, all through this speech, been weighing his language in golden scales, so as to *insinuate* the false, without expressing it in direct language. In this passage, however, he seems to forget himself for a moment, in the torrent of declamation, and declares that the Constitution "pro-





nounces that it is established by the people of the United States in the aggregate." The addition of the words "in the aggregate" is the Webster addition, and nowhere to be found in the instrument itself. Mr. Webster here states what is positively not true—and he knew it.

We have still stronger evidence of his dishonesty, and out of his own mouth is he condemned. On a previous occasion, when he had arrived at the full vigor of his mental powers, and had served several years in Congress, he said, relative to the admission of Missouri, that the States enjoy "the *exclusive* possession of *sovereignty*," and again, "as between the original States, the representation rests upon *compact* and plighted faith."

At a later period, in 1851, he said, in his speech at Capon Springs, Virginia:"\*

"If the South were to violate any part of the Constitution intentionally and systematically, and persist in so doing year after year, and no remedy could be had, would the North any longer be bound by the rest of it? And if the North were deliberately, habitually and of fixed purpose, to disregard one part of it, would the South be bound any longer to observe its other obligations? How absurd it is to suppose that when different parties enter into a *compact* for certain purposes, either can disregard any one provision and expect nevertheless the other to observe the rest!

"I have not hesitated to say, and I repeat, that if the Northern States refuse, willfully and deliberately to carry into effect that part of the Constitution which respects the restoration of fugitive slaves, and Congress provide no remedy, the South would no longer be bound to observe the compact. A bargain cannot be broken on one side and still bind the other side."

Again, in his letter to Colonel Hickey in 1850, in his letter in 1851 to Mr. Cooper, of Georgia, and in his address to the young men of Albany, in the same year, he calls the Union a *compact*.

\*Curtis' Life of Webster, Chap. XXXVII, pp. 513, 519.



In the vigor of his best manhood he said: "The original parties to the Constitution were thirteen *confederated States*;" and furthermore, that their constitutional obligations "rest on *compact* and plighted faith." These, his exact words, he recanted in the interest of protective tariff legislation in 1830-'33. In his later years he reiterated the same words. But it was too late: he had already produced those "public convictions," as Mr. Curtis calls them, which brought their fruit of war and woe.

This statement of Mr. Webster's position, though probably tedious, is necessary to a full understanding of the question. For Mr. Webster distinctly admits, as stated by Mr. Davis in his history, "that if the Constitution *were* a compact; if the Union *were* a Confederacy; if the States had, as States, severally acceded to it—all which propositions he denies—then the sovereignty of the States and their right to secede from the Union would be deducible."

Mr. Webster's own language is: "Such, sir, (secession, &c.) are the inevitable results of this doctrine, beginning with the original error that the Constitution of the United States is nothing but a compact between sovereign States." It is proper to remark in this connection, that there was no vote taken on Calhoun's States-rights resolution in 1833. But the consolidation movement was checked. In December, 1837, the same resolutions, varied only verbally, were introduced by Mr. Calhoun in the Senate. They were passed by a vote of two-thirds of the States, thus affirming the doctrines which Mr. Webster declared meant secession.

That the States, and not the people in their aggregate capacity, framed and established the Constitution appears from the facts that the States appointed the delegates to the convention, and that, in that convention, each State had one vote; that the Constitution was submitted to the *States*, and not to the *people* at large, for ratification; that it should go into effect when ratified by nine States; that it should be established—not *over* the whole people—but "*between the*





*States* so ratifying the same." That the States retained their sovereignty is evidenced by the facts; that it is universally conceded that they were sovereign under the old Confederation, and that there has been no surrender of sovereignty since; that the objections of the States to the adoption of the Constitution arose from *the fear*, that in some way or other they *might* lose their sovereignty; that it was only after they had been convinced that such fear was without foundation that they entered into the compact; that three of the States, New York, Virginia, and Rhode Island, to make assurance doubly sure, in express language reserved the right to withdraw from the compact when they entered into it; that New Hampshire, in her constitution of 1792, declared that she was a free, sovereign, and independent body politic, or State; that Massachusetts declared the same thing, in the same language; that Mr. Madison said, in the Virginia convention, "we, the people who were to establish the Constitution, were the people of thirteen sovereignties."

Hamilton declared in the *Federalist* that the States were sovereign. Franklin, James Wilson, of Pennsylvania; Gouverneur Morris, Roger Sherman, and Oliver Ellsworth, spoke of the States as sovereign bodies. This doctrine was not denied in the earlier years of the Republic. The tenth amendment to the Constitution was adopted at the express instance of the States, in order to secure their sovereignty beyond all possible doubt.

Chief Justice Marshall gives an opinion, in these words, to wit: "The State governments did not derive their powers from the General Government, but each government derived its powers from the people, and each was to act according to the powers given. Would any gentleman deny this? \* \* \* Could any man say that this power was not retained by the States, as they had not given it away? For does not a power remain until it is given away?"\* Finally, is it possible to conceive that an independent State would part with the priceless jewel of sovereignty by implication?

\* Elliott's Debates, vol. 3, pp. 369, 381.





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\* Elliott's Debates, vol. 3, pp. 369, 381.



In opposition to this, Mr. Lincoln, voicing the doctrine of the Republican party, declared that the States, "were the creatures of the General Government."

It remains, finally, to mention the opinion of George Washington himself, expressed in a letter to Benjamin Lincoln, October 26, 1788. He says: "Whoever shall be found to enjoy the confidence of *the States*, so far as to be elected Vice-President." &c. And just here it may be in place to allude to the popular error, that our system of Government is a mixed one, consisting in part of a representation of States, and in part of a representation of the people in all the States as an aggregate unit. It has been remarked before, that the larger States demanded, and were accorded, a larger representation in Congress than the smaller States. But they enjoyed this right *as States*; nor was there anything in this at all inconsistent with the federal principle. In the purest confederacies that have ever existed, *States* have been represented in proportion to the taxes they would be required to furnish in time of war. Thus, Prussia had a larger representation in the German confederation than Hanover. The President and Vice-President are elected upon the same principle, which fixes the ratio of representation.

This doctrine is further evident from the fact that three-fifths of the slaves, who were not of "the people," who were not citizens, and who possessed no political rights, were counted in the represented population. Thus, General Washington said the exact truth, with precise accuracy, when he speaks of the Chief Executive as being elected by *the States*.

Mr. Davis, in his history, remarks with no less force and clearness than truth: "That in forming and adopting the Constitution, the States, or people of the States—terms, which, when used with reference to acts performed in a sovereign capacity, are precisely equivalent to each other—formed a new *Government*, but no new *people*; and that, consequently, no new sovereignty was created—for sovereignty in an American republic can belong only to a people, *vere*





to a government—and that the Federal Government is entitled to exercise the only powers delegated to it by the people of the respective States. That the term ‘people,’ in the preamble to the Constitution and in the tenth amendment, is used distributively; that the only ‘people of the United States’ known to the Constitution, are the people of each State in the Union; that no such political community or corporate unit as one people of the United States then existed, has ever been organized, or yet exists; and that no political action by the people of the United States in the aggregate has ever taken place, or ever can take place under the Constitution. The fictitious idea of *one* people of the United States, contradicted in the last paragraph, has been so impressed upon the popular mind by false teaching, by careless and vicious phraseology, and by the ever-present spectacle of a great Government, with its army and navy, its custom-houses and post-offices, its multitude of office-holders, and the splendid prizes which it offers to political ambition, that the tearing away of these illusions, and the presentation of the original fabric, which they have overgrown and hidden from view, have no doubt been unwelcome, distasteful, and even repellant, to some of my readers. The artificial splendor which makes the deception attractive is even employed as an argument to prove its reality.

“The glitter of the powers delegated to the agent serves to obscure the perception of the sovereign power of the principal by whom they are conferred, as, by the unpracticed eye, the showy costume and conspicuous functions of the drum-major are mistaken for emblems of chieftaincy—while the misuse or ambiguous use of the term Union and its congeners contributes to increase the confusion.”\*

If what has been remarked of Mr. Webster be correct, what shall be said of Motley? Mr. Webster spoke with guarded words. As before stated, his method was rather insinuation than bold assertion. Yet there was a limit be-

\* “Rise and Fall of the Confederate Government,” pp. 158, 159.



yond which even he did not go. There were *some* facts so very plain and well-established, and universally known, that he dared not call them in question. Not so with Motley. He cast aside all shame. He stated what was false, what he knew to be false, what everybody knew to be false, with all the impudence and swagger of a professional swindler. Like his tribe of venal office-seeking creatures, who write what *they* call history, to please the party in power, for the purpose of securing a good paying appointment, this Motley, in 1861, wrote as follows: "The Constitution was not drawn up by the States, it was not promulgated in the name of the States, *it was not ratified by the States*. The States never acceded to it, and possess no power to secede from it. It was 'ordained and established' over the States by a power superior to the States; by the people of the whole land in their aggregate capacity."\*

To say that the Constitution "was not ratified by the States," when the very condition of its adoption was made to depend upon the ratification of "nine of the States;" and when in point of fact it *was* ratified by each State in its organic capacity as a State: and to say that it was "established *over* the States by a power superior to the States," when the Constitution itself says, "the ratification of the conventions of nine *States* shall be sufficient for the establishment of this Constitution, between *the States so ratifying the same*;" to say this, evinces such a disregard of truth and honesty as to make such statements unworthy of notice. Motley had no influence in moulding public opinion. He wrote after the crisis came, and, doubtless, with a view to the British mission, which he subsequently procured. He has only been alluded to in order to show the progress of the consolidation theory.

When Mr. Lincoln said that the States derived their powers from the General Government, and "run" his "machine" upon that principle, the subversion of the Constitution was perfected—not in theory only but in practical act and effect.

\* Letter to London Times, 1861.





If the Union was a compact, entered into by sovereign States, then it followed as a necessary consequence that the States had a right to withdraw or secede from the compact, whenever in their judgment such a step would best promote their own welfare. But the expediency of *such action* was a weighty question.

Among other considerations of grave import was: "Would there be war?" The majority of the people of the South thought there would not be.

Mr. Madison had said, in the Convention which framed the Constitution, in reply to a proposition "to call forth the force of the Union against any member of the Union failing to fulfill its duty under the articles thereof," that "any government of the United States founded upon the supposed practicability of using force against the unconstitutional proceedings of the States, would prove as visionary and fallacious as the government of Congress." Mr. Madison moved the postponement of the proposition. It was postponed unanimously, and never again revived. Mr. Madison said further, upon the same occasion, that "the use of force against a State would look more like a declaration of war than an infliction of punishment, and would probably be considered by the party attacked, as a dissolution of all previous compacts by which it might have been bound."\*

Governor Randolph, of Virginia, the mover of the resolution to employ force, after the signal defeat of that proposition, declared in the Virginia convention that the General Government had no power of coercion.

Oliver Ellsworth, in the ratifying convention of Connecticut, said: "This Constitution does not attempt to coerce sovereign bodies, States, in their political capacity."†

Mr. Hamilton, in the New York convention, said: "To coerce the States is one of the maddest projects that was ever devised."‡

\*Madison Papers, pp. 732-761.

†Elliott's Debates, vol. 2, p. 199.

‡Ibid., pp. 232, 233.





Our own William R. Davie said he "supposed no man would support coercion."

Down to as late a period as 1850 there was scarcely a man to be found who advocated the right of coercion. From this time the doctrine began to find supporters, but they were few in number. As late as 1860 the *New York Tribune*, the great organ of the Republican party, said: "We must ever resist the asserted right of any State to remain in the Union and nullify or defy the laws thereof; *to withdraw from the Union is quite another matter.* And, whenever a considerable section of our Union shall deliberately resolve to go out, *we shall resist all coercive measures to keep her in. We hope never to live in a republic whereof one section is pinned to the residue by bayonets.*"\*

The *New York Herald*, a journal claiming to be independent of party influences, and to represent average popular opinion, said, about the same time: "Each State is organized as a complete government, holding the purse and wielding the sword, possessing the right to break the tie of the confederation, as a nation might break a treaty, and to repel coercion as a nation might repel invasion."

In January, 1861, after six States had seceded, an immense meeting was held in New York city. Mr. Thayer, a distinguished old line Whig, in his speech upon that occasion, said: "We can at least, in an authoritative way, and a practical manner, arrive at the basis of a *peace separation.* (Cheers.) \* \* \* And if the incoming administration shall attempt to carry out the line of policy that has been foreshadowed, we announce that, when the hand of black Republicanism turns to blood-red and seeks *from the fragment of the Constitution to construct a scaffolding for coercion—another name for execution*—we will reverse the order of the French Revolution, and save the blood of the people by making those who would inaugurate a reign of terror the first victims of a national guillotine!" (Enthusiastic applause.)†

\**N. Y. Tribune*, Nov. 9, 1860.

†Speech at a mass meeting in N. Y., Jan. 31, 1861.



At the same meeting Governor Seymour asked whether "successful coercion by the North is less revolutionary than successful secession by the South?" and added, "Shall we prevent revolution by being foremost in overthrowing the principles of our Government, and all that makes it valuable to our people and distinguishes it among the nations of the earth?"

Ex-Chancellor Walworth said: "It would be as brutal, in my opinion, to send men to butcher our own brothers of the Southern States, as it would be to massacre them in the Northern States."

De Tocqueville affirmed the Union to be a compact, and that the General Government possessed no power of coercion.

Even Mr. Lincoln, in his inaugural address, hesitated and wavered. Instead of announcing the policy of his administration to be coercion, the whole tone and spirit of what he said, *seems* to favor a peaceable separation.

Considering these expressions, it was not without reason that the majority of the Southern people thought secession would be peaceable. In the first place, they felt that the right existed: and in the second place, they thought this right was, if not recognized by the North as constitutional, at least recognized as legitimate on the principles of the Declaration of Independence. Added to this was the expression of an immense, though not dominant party, at the North, opposed to coercion. But the wisest heads at the South counted on war. They were too well acquainted with the treachery and unscrupulous character of the black Republican leaders to anticipate less. What, to them, had been the considerations of the Constitution, of plighted faith, of justice, of honor, of truth, of common decency? To them all these things were matters of "sentiment," and were not regarded as *profitable rules* for a race of practical, money-making business men. If a war *would pay*, they would wage a war, a treacherous war, a cruel and vindictive war—





as advised by Horace Greeley and the *Rev.* Dr. Tyng. The result of their calculations was, that the pecuniary advantages to be reaped by a war, in the event of a success, would far outstrip the expense of carrying it on for a long number of years. On the other hand, if the North lost, it would be no worse off: because, if the South should separate peaceably, the North would be equally ruined, as it depended upon the productive industries of the South, which it could exploit into its own pocket by means of sectional legislation.

There was a Webster school at the South. There were Southern men who did not believe in the right of secession. But they believed in the right of revolution. They believed in the principle of resistance to oppression, as clearly set forth in the Declaration of Independence. They believed in the doctrine of Mr. Webster's Capon Springs speech, in which he said (already quoted) speaking of the Constitution, "And if the North were deliberately, habitually and of fixed purpose, to disregard one part of it, would the South be bound any longer to observe its other obligations?"

But many of these gentlemen became convinced before 1861 that it was the "fixed purpose" of the North to trample the Constitution under foot and to make a sectional war upon the institutions of the South, to secure greater power and aggrandizement for themselves. They had learned what it was to bear the galling yoke of a numerical majority, untrammelled by any obligations of the plighted faith. They had learned the truth of De Tocqueville's remark about the numerical majority in the United States, when he said, "No obstacles exist which can impede, or so much as retard its progress, or which can induce it to heed the complaints of those whom it crushes upon its path." The old Whig party at the North formed a coalition with the black Republican, and about the same time it disappeared in the South.

If there could be any one particular cause which operated with more force than any other to produce this unanimity at the South, it was the Dred Scott decision and its consequences.



It had been a favorite doctrine of the old Whig party at the South, that questions touching the rights of the States and their relations to the General Government were questions of constitutional law, to be determined by the Supreme Court of the United States, and that such decision was final. In 1854 a case (the Dred Scott case) involving just such questions came before the Supreme Court. The court decided, seven of the nine judges concurring, that African slaves were not "part of the people" or citizens of the United States: that Congress had no right to exclude slavery from the territories, and that the Missouri compromise, so far as it related to the exclusion of slavery north of a certain line, was unconstitutional. In a word, the Supreme Court decided in favor of every point for which the South contended.

How was this decision received by this black Republican party? They tortured the English language to frame epithets sufficiently vigorous and vile to launch against the devoted court. Upon the head of the learned and venerable Chief Justice Taney they poured out the seven vials of their wrath and hatred. The decision was repudiated. It was declared to have no binding force and effect. It added fresh fury to the malignant agitators, and fanned the sectional animosity at the North into a fiercer flame. The torrent of popular passion increased in volume, until it broke over the feeble barrier of right and justice interposed by the Supreme Court. The last bulwark had been swept away. No hope remained. The South was now approaching unity of sentiment. To show that they intended to pay no regard to this decision of the Supreme Court the black Republican party actually organized itself in a formal manner upon the *identical* principles which the court had declared unconstitutional! No conceivable method of expression could have pointed out their purpose and determination with more clearness and distinctness. It is not necessary to add that this determination and purpose was the political subjugation and material ruin of the people of the South.





Every consideration of honor and safety demanded resistance to the bitter end. The election of Abraham Lincoln, a sectional President, by a sectional vote, for a sectional purpose, and that purpose the attempted degradation of the South, was the signal for action. There is a passage in the *Federalist* of rare force and beauty, and of no less truth, which is as follows: "Justice is the end of government. It is the end of civil society. It ever has been and it ever will be pursued until it be obtained, or until liberty be lost in the pursuit."

Justice was *no longer* to be hoped for in the Union.

When it became known that Lincoln was elected President of the United States South Carolina made immediate preparations for secession. Her legislature called a convention, which assembled in Columbia, December 17, 1860. On the 18th the convention adjourned to Charleston, and on the 20th the ordinance was passed, which declared that "the Union now subsisting between South Carolina and other States, under the name of the United States of America, is hereby dissolved."

Florida followed South Carolina on the 7th of January, 1861; Mississippi on the 9th, Alabama on the 11th, Georgia on the 20th, Louisiana on the 26th, and Texas on the 1st of February.

On the 4th of February a convention of delegates from the seceded States assembled at Montgomery, Alabama, adopted a constitution, and organized the Confederate government.

There were those, even yet, in the South who did not despair of an amicable adjustment. On the 18th of December, 1860, Mr. Crittenden introduced his famous "compromise resolutions." The resolutions did not receive a black Republican vote. The propositions of Mr. Etheridge, less favorable to the South, were not even entertained. Still, the efforts for peace were not abandoned. At the instance of the legislature of Virginia, commissioners from twenty States, known





as the "Peace Conference," met at Washington in February. The border States were all present.

This conference recommended to Congress a plan less favorable to the South than the Crittenden resolutions. The recommendation was voted down in the Senate, and the House refused to entertain it. Virginia, North Carolina, Tennessee and Arkansas still remained in the Union. Meanwhile the Confederate government dispatched commissioners to Washington to treat and negotiate for the removal of the Federal troops from Forts Pickens and Sumter, and to provide for the adjustment of claims to the public property. They were informally received, and assured that, pending the negotiations, no change should be made in the *status in quo*. But they were most grossly betrayed. While these assurances were being made and negotiations pending, the Government at Washington was secretly making extensive preparations for coercion.

When the commissioners learned that transports and vessels of war, with troops, munitions and supplies, had already sailed southward from Northern ports, their eyes were opened to the deception which had been practised upon them. They became alarmed, and asked for a reply to their communication; whereupon they were informed that the President of the United States had determined to hold no communication with them whatever. Seward had acted with treachery, but had accomplished his purpose in delaying action on the part of the Confederate authorities, while he was endeavoring to reinforce the Southern forts. After repeated assurances on the part of Seward to Mr. Campbell, that Sumter should be evacuated, on the very day on which the last assurance was given the advance of the Northern fleet had sailed on its hostile mission for Charleston harbor.

The result is well known. Fire was opened on Sumter on the 12th of April, and on the 13th it capitulated.

The reduction of Sumter wrought up the North to a frenzy of excitement and rage. And yet, if South Carolina



had the right to withdraw from the Union, she had the right to Sumter. If the Washington Government had no war-want for coercion, if the "erring sisters should go in peace," as so many Northern newspapers, preachers, and politicians had declared, then what was there remarkable in South Carolina possessing herself of her own fort, which a hostile fleet was hovering off the coast to reinforce? This insane fury was partly artificial and partly to be attributed to the sensational character of the Northern people. Doubtless this rage would have been increased had every man in Sumter been destroyed, as the Government in Washington intended and hoped. Perhaps, too, the North believed that the South was merely vaporing. They declared as much. They said it was all "*brutum fulmen*;" that the South could be "kicked out;" that the war would be over in "sixty days," &c., &c.

Now they knew that the South was in earnest—in deadly earnest. The North loved *that* Union under which they had grown rich, by plundering the South. Untold millions had been gathered under sectional legislation in tribute. With the South independent the North would relapse into its original poverty and obscurity. *Their love of the Union was a matter of dollars and cents.* They calculated that the expenditure of a few billions of dollars, and what was of much less consequence, the slaughter of half a million men, would be a small consideration in comparison with the loss of the benefits of a protective tariff. Then, too, there were visions of army contracts among the manufacturers, of immensely increased transportation for the railroad companies, and of securing absolute control of the currency among the bankers, also dreams of a new *aristocracy* founded on *shoddy*. Finally, over and above all, was the old Puritan savagery, hatred and envy towards the South, which, long smouldering, now flamed out in a fierce malignity.

Lincoln, with the advice of his aiders and abettors, quick to seize the favorable moment, took advantage of this wave of fanaticism, issued his proclamation for 75,000 troops, and called upon the States to furnish their quotas. How North Carolina responded will appear in the following pages:





# NORTH CAROLINA

## IN THE

### WAR BETWEEN THE STATES.

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#### CHAPTER I.

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Upon the election of Mr. Lincoln the people of North Carolina divided themselves into two parties. One party maintained that his election proved beyond all matter of doubt that it was the settled intent and determined purpose of a large majority of the Northern people to utterly disregard and violate those rights of the States which underlay the form of Government and constituted its very essence, and which were furthermore plainly recognized in the Constitution. They thought, therefore, that every consideration of safety, as well as of honor, demanded that the State should withdraw from the compact of union, which they conceived a reckless majority at the North were perverting into an engine of lawless oppression and despotism. The other party, while deploring the election of a sectional President, were disposed to put up with present grievances and wait, hoping that time and a returning sense of justice would bring relief, rather than take a step which, when once taken, would be irretrievable, and which might lead to greater evils than those which already existed.



The following letter from Governor Ellis shows the state of public sentiment in North Carolina in the fall of 1860 : \*

“EXECUTIVE DEPARTMENT,  
“RALEIGH, N. C., October 19, 1860.

“DEAR SIR : I have the honor to acknowledge the receipt of your favor of the 6th, which reached me on the 12th inst.

“In compliance with your request I will give as accurately as it is in my power to do the views and feelings of the people of North Carolina upon the important subject of your communication. Political differences and party strife have run so high in this State for some years past, and particularly during the past nine months, that anything like unanimity upon any question of a public nature could scarcely be expected, and such is the case with the one under consideration. Our people are very far from being agreed as to what action the State should take in the event of Lincoln's election to the Presidency. Some favor submission, some resistance, and others still would *await the course of events that may follow*. Many argue that he would be powerless for evil with a minority in the Senate and perhaps in the House of Representatives also, while others say, and doubtless with entire sincerity, *that the placing of the powers of the Federal Government into his hands would prove a fatal blow to the institution of negro-slavery in this country*. None of our public speakers, I believe, have taken the ground before the people that the election of Lincoln would of itself be a cause of secession. Many have said it would not, while others have spoken equivocally. Upon the whole, I am decidedly of the opinion that a majority of our people would not consider the occurrence of the event referred to as sufficient ground for dissolving the union of the States, for which reason I do not suppose that our legislature, which will meet on the 19th proximo, will take any steps in that direction, such for instance as calling of a convention. Thus, sir, I have given

\*Private Papers of Governor Ellis.



you what I conceive to be the sentiment of our people upon the subject of your letter, and I give it as an existing fact without comment as to whether the majority be in error or not. My own opinions as an individual are of but little moment. It will be sufficient to say, that as a States-rights man, believing in the sovereignty and reserved powers of the States, I will conform my actions to the action of North Carolina, whatever that may be. To this general observation I will make but a single qualification. It is this: I could not, in any event, assent to or give my aid to a practical enforcement of the monstrous doctrine of coercion. I do not for a moment think that North Carolina would become a party to the enforcement of this doctrine, and will not, therefore, do her the injustice of placing her in that position, even though hypothetically.

"With much respect, I have the honor to be, your obedient servant,

"JOHN W. ELLIS.

"His Excellency, Wm. H. Gist,

*"Governor of South Carolina."*

The legislature convened in regular session the 19th of November, 1860. The Governor's message to this body shows a prosperous condition of affairs with regard to the public debt and finances, works of internal improvement, agriculture, education, taxation and revenue, and the welfare of the State in general. In fact, never did prosperity and happiness more universally prevail among a people than it did among the people of North Carolina in the fall of 1860. But the cloud of war was upon the horizon. Governor Ellis, in the message referred to, thus alludes to the national situation, viz.:

"The great body of the people of the Northern and Southern States entertain diametrically opposite opinions upon the subject of African slavery; the former, that it is a social and a political evil and a sin; the latter, that it is a system of





labor eminently well adapted to our climate and soil, right and proper within itself, and that so far from being a sin, its establishment among us is one of the providences of God for civilizing and christianizing that benighted race.

"Were these sentiments entertained as abstract opinions merely, they would occasion but little disturbance to the Government. It is far otherwise, however. This sentiment with the people of the North has assumed the form of a bold and aggressive fanaticism, that seeks the annihilation of slavery in the South at all hazards and regardless of consequences. That such is its aim, the object and end of its daily and hourly labors, can no longer be the subject of a doubt.

"Impelled by this spirit the people of the Northern States have violated our rights to an extent that would scarcely have been borne by any other people on earth. They have deprived us of our property, through lawless mobs, acting under the sanction of a high public opinion, and often, too, with the connivance of their constituted authorities. Organized societies, with them, have sent emissaries among us to incite slaves to insurrection and bloodshed. Inflammatory publications, counselling slaves to rise against their masters, have been systematically circulated throughout the South by the dominant party of the North, sanctioned and indorsed by its most influential leaders. The legislatures of a large majority of the non-slaveholding States have, by solemn enactments, openly and shamelessly annulled a provision of the Constitution of the United States for the rendition of fugitive slaves, and have legislated, directly and pointedly, with the view to prevent the owner from recovering such property.

"Courts of justice among them have, upon more than one occasion, totally disregarded a law of Congress, enacted to secure our rights of property, and delivered over fugitive slaves to attendant mobs, with a knowledge of their purpose, to prevent their reclamation by force.

"But little more than a year since an armed organization



was deliberately planned and set on foot by political societies and men high in public confidence at the North, for the purpose of heading an insurrection of slaves against their masters. The invaders came, and in the night time fell upon a weak and unsuspecting community, and murdered peaceable and unarmed citizens.

“When captured and executed for their treason and murder, they were lamented by the great body of the people of the North, as though they had fallen in the performance of some meritorious public service. It may be doubted whether history furnishes another instance among a civilized people where treason and murder have been so sympathized with and applauded. Since which time, men most prominent in these demonstrations have been elevated to the highest offices of State, thus evidencing the deep and pervading sentiment of hostility in the North towards the institutions and the people of the South.

“Such of the invaders as escaped were harbored in the non-slaveholding States, and upon demand made, according to forms of the Constitution, the executives of two of those States, Ohio and Iowa, pointedly refused to perform their sworn constitutional obligations by surrendering them to the justice they had fled.

“Enormities like these could not have been perpetrated towards the people of any foreign nation without involving the country in a war. Indeed, it is now but too manifest that the people of the Southern States have not, in this confederacy, that protection for their property which the subjects of Great Britain, France, or any other foreign country can claim and enforce against us. Should the subjects of any foreign government be despoiled of their property by the people of Massachusetts or any other non-slaveholding State, restitution and indemnity would be made by our Government upon demand, or reprisals and war against the United States would enforce indemnity. But should the people of Massachusetts forcibly deprive a citizen of North Carolina of his property,





he would have no such remedy, and indeed no remedy at all, since the Constitution, which provides for such cases, has been wholly annulled by the State of Massachusetts.

"The forbearance with which the South has borne these indignities and wrongs has utterly failed to secure a corresponding forbearance on the part of our aggressors. The spirit of fanaticism by which they are influenced, growing bolder by its lawless riot and unobstructed indulgence, has at last so far united the Northern masses as to enable them to seize upon the General Government, with all its power of purse and sword. Two persons have been elected, respectively, to the offices of President and Vice-President, exclusively by the people of one section of the country, upon a principle hostile to the institutions and domestic polity of the other. Neither of them received an electoral vote in all the fifteen Southern States, and neither could have uttered, in many of them, the political sentiments upon which they are elevated to power, without subjecting himself to the penalty of the local criminal laws. A clearer case of a foreign domination, as to us, could not well be presented; and that it will be a hostile domination, past occurrences and the circumstances under which they have been elected, forbid us to doubt. That any people, having a due appreciation of the principles of liberty, could long submit to such a domination, it is impossible to suppose. They now tell us, that this election has been conducted according to the forms of the Constitution, and that, therefore, the people of the South should take no exception to the fact. They who themselves have utterly refused to be bound by that Constitution, now hold it up to us as a bond to secure us from defending our property and lives against their oppressions.

"It cannot for a moment be supposed that we could submit to have the policy of the abolition party, upon which their candidate for the Presidency has been elected, carried out in his administration, as it would result in the destruction of our property and the placing the lives of our people



in daily peril: and even though this should not be immediately attempted, yet an effort to employ the military power of the General Government against one of the Southern States would present an emergency demanding prompt and decided action on our part. It can but be manifest that a blow thus aimed at one of the Southern States would involve the whole country in a civil war, the destructive consequence of which, to us, could only be controlled by our ability to resist those engaged in waging it. \* \* \*

"In view of the perilous condition of the country, it is, in my opinion, becoming and proper, that we should have some consultation with those States identified with us in interest and in the wrongs we have suffered; and especially those lying adjacent to us. \* \* \*

"I also think that the public safety requires a recurrence to our own people for an expression of their opinion. \* \*

"I therefore recommend that a convention of the people of the State be called, to assemble immediately after the proposed consultation with other Southern States shall have terminated."

The Governor closes his message with recommending a thorough reorganization of the military force of the State and the formation of a corps of ten thousand volunteers. It is apparent from this message that Governor Ellis belonged to that party which regarded the election of Lincoln as sufficient evidence that North Carolina could no longer remain in the Union with safety and honor. Such, however, were not, at this time, the views of the majority of the legislature and of the people of the State. A great many sets of resolutions were introduced in this legislature relative to national affairs. Some looked to compromise, some to a convention of all the States, some to united action on the part of the entire South, and some to immediate action on the part of North Carolina. These resolutions were representative of the opinions of the two parties. One class of





resolutions contemplated an amicable adjustment without separation: the other class contemplated separation alone. But the question which drew the party lines was the proposition to call a convention of the people. The Secession party favored it; the Union party opposed it. An act was finally passed, submitting to the people the question whether or not a convention should be called. And now began perhaps the most heated political campaign that North Carolina had ever experienced. The best men in the State were arrayed on opposing sides, and under such circumstances it was to be expected that the ordinary voter would not easily decide how to cast his suffrage. The old traditionary love for the Union, however, prevailed, and the people decided that there was no cause to call a convention. This was a Union victory; but the rejoicings over it were of short duration.

On the 13th day of April, 1861, Fort Sumter was surrendered. It is not necessary to speak here of the wild excitement which swept the North, and to state over again and account for that sudden revolution of opinion in the minds of those who, up to this time, were willing that the "wayward sisters should depart in peace." But it is proper to mention that the call for troops, made by President Lincoln, on the Executive of North Carolina, produced at least equal excitement in that State. The leaders of what was known at this time as the Union party had solemnly declared that they would not, under any circumstances, be accessory to an attempt to coerce the seceded States. When the call came they kept faith, and rallied under the Confederate war-banner. There were no longer two parties. All were for war, vigorous, *determined* war; *war* to the bitter end. There are no names recorded upon the muster-rolls of the Confederate army that shed more lustre on the war record of North Carolina than these Union men of 1860 and the spring of 1861.

Events now crowded rapidly upon each other. There was no longer a place for neutrality or diplomacy. The war





had begun, and the hesitating Southern States were forced to take decided measures, and to range themselves, for weal or for woe, either for or against the new Confederacy.

On the 15th of April Governor Pickens, of South Carolina, dispatched Governor Ellis as follows:

“CHARLESTON. *April 15, 1861.*

“Fort Sumter has been surrendered after our batteries had committed terrible havoc. A fleet of vessels is off the harbor with several thousand men. If they attempt to force an entry or a landing, we are prepared for them. We will do our duty. Reinforcements are said to have entered Fort Pickens, and a fleet to be off Pensacola. I suppose a general invasion is intended. Let me know if North Carolina is to stand and bear this.

“F. W. PICKENS.”

On the same day Lincoln's proclamation, calling for 75,000 troops, was issued, and reads as follows:

“Whereas, the laws of the United States have been for sometime past and now are opposed, and the execution thereof obstructed in the States of South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, and Texas, by combinations too powerful to be suppressed by the ordinary course of judicial proceedings, or by the powers vested in the marshals of the law:

“Now, therefore, I, Abraham Lincoln, President of the United States, in virtue of the power in me vested by the Constitution and the laws, have thought fit to call forth, and do hereby call forth, the militia of the several States of the Union, to the aggregate number of 75,000, in order to suppress said combinations, and to cause the law to be duly executed. The details for this object will be immediately communicated to the several States by the War Department.

“I appeal to all loyal citizens to favor, facilitate, and aid this



effort to maintain the honor, the integrity, and the existence of our National Union and the perpetuity of popular government, and to redress the wrongs already long enough endured. I deem it proper to say that the first service that will be assigned to the forces called forth will probably be to repossess the forts, places, and other property of the Union which have been seized, and in every event the utmost care will be observed, consistent with the objects aforesaid, to avoid any destruction of or interference with property or any disturbance of peaceful citizens in any part of the country. And I hereby command all persons composing the combinations aforesaid to disperse and retire peaceably to their respective abodes within twenty days from this date.

"Deeming that the present condition of public affairs presents an extraordinary occasion, I do hereby, by virtue of the power in me vested by the Constitution, convene both Houses of Congress. The Senators and Representatives are, therefore, summoned to assemble in their respective chambers at 12 o'clock noon, on Thursday, the 4th day of July next, then and there to take such action as in their wisdom the public safety and interest may seem to demand.

"In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

"Done at the city of Washington, this 15th day of April, in the year of our Lord one thousand eight hundred and sixty-one, and of the independence of the United States the eighty-fifth.

(Signed)

"ABRAHAM LINCOLN.

"By the President :

"W. H. SEWARD, *Secretary of State*."

Accordingly, on the evening of the 15th, Governor Ellis received the following dispatch :

"WAR DEPARTMENT, WASHINGTON, D. C., April 15, 1861.

"To J. W. ELLIS :—Call made on you by to-night's mail for two regiments of military for immediate service.

"SIMON CAMERON, *Secretary of War*."





Governor Ellis, reclining upon the sofa in his office, unable to sit up, replied :

“ EXECUTIVE DEPARTMENT,

“ RALEIGH, *April 15, 1861.*

“ TO SIMON CAMERON, *Secretary of War.*

“ SIR : Your dispatch is received, and if genuine, which its extraordinary character leads me to doubt, I have to say in reply that I regard the levy of troops made by the administration for the purpose of subjugating the States of the South as in violation of the Constitution and as a gross usurpation of power. I can be no party to this wicked violation of the laws of the country and to this war upon the liberties of a free people. You can get no troops from North Carolina. I will reply more in detail when I receive your ‘ call.’

“ JOHN W. ELLIS,

“ *Governor of North Carolina.*”

Two days after Mr. Lincoln's proclamation—on the 17th—Virginia seceded and led off in the secondary secession movement of the northern tier of Southern States.

The course of Governor Ellis at this juncture was marked by promptness and energy. His mind was already made up, and there was, with him, no time needed for consideration to determine upon what should be his line of conduct. Accordingly, on the 17th, he issued the following proclamation, viz. :

“ Whereas, by proclamation of Abraham Lincoln, President of the United States, followed by a requisition of Simon Cameron, Secretary of War, I am informed that the said Abraham Lincoln has made a call for 75,000 men, to be employed for the invasion of the peaceful homes of the South, and for the violent subversion of the liberties of a free people, constituting a large part of the whole population of the late United States: and, whereas, this high-handed act of tyrannical outrage is not only in violation of all constitutional



law, in utter disregard of every sentiment of humanity and Christian civilization, and conceived in a spirit of aggression unparalleled by any act of recorded history, but is a direct step towards the subjugation of the whole South, and the conversion of a free republic, inherited from our fathers, into a military despotism, to be established by worse than foreign enemies on the ruins of our once glorious Constitution of equal rights:

"Now, therefore, I, John W. Ellis, Governor of the State of North Carolina, for these extraordinary causes, do hereby issue this, my proclamation, notifying and requesting the Senators and Members of the House of Commons of the General Assembly of North Carolina, to meet in special session at the capitol, in the city of Raleigh, on Wednesday, the first day of May next. And I furthermore exhort all good citizens throughout the State to be mindful that their first allegiance is due to the sovereignty which protects their homes and dearest interests, as their first service is due for the sacred defense of their hearths and of the soil which holds the graves of our glorious dead. United action in defense of the sovereignty of North Carolina, and of the rights of the South, becomes now the duty of all.

"Given under my hand, and attested by the great seal of the State.

"Done at the city of Raleigh, the seventeenth day of April, A. D. 1861, and in the eighty-fifth year of our independence.

"JOHN W. ELLIS.

"By the Governor:

"GRAHAM DAVES, *Private Secretary.*"

The legislature convened, pursuant to the call, on the first day of May, 1861. It continued in session thirteen days, and passed the Convention Bill, fixing the time for the assembling of the convention on the 20th of May.

The change of public sentiment produced by Lincoln's



call for troops is thus stated by the Governor in his message to this body, viz.:

“The outburst of indignation with which the proclamation of the President has been received by all the citizens of the State convinces me that I did not mistake the people whose chief magistrate I am. The alacrity with which they have sprung to arms—outstripping the slow forms of law, and enabling me to assemble an army from the plough and the work-shops in less time than it has required to convene the General Assembly—is proof that long years of peace and order have only made more dear to them their rights and liberties, and have not in the least impaired their readiness and their abilities to defend them.”

The Governor had already taken possession of the forts and arsenals. He says:

“In discharge of a plain obligation devolving upon me as Governor of the State, and in virtue of the powers vested in me as Governor and Captain-General and Commander-in-Chief of the Militia, I lost no time in taking possession, in the name of the State, of the forts, arsenals, and other property of the Federal Government within the State, and they are now held, under my orders, by adequate garrisons.”

The remainder of the message is occupied with suggestions relative to the public defense. The message closes as follows, viz.:

“I cannot close this communication without congratulating you upon the harmony of feeling and the union of purpose now existing among the people of every part of North Carolina. No sooner was it seen that our liberties were menaced by the usurper, than all party feuds were forgotten, and the patriotic fires that burned in the bosoms of our ancestors were rekindled in the breasts of their descendants. The hearts of the people everywhere are prepared for the contest before us.”





This first extra session of the legislature in May, 1861, was a model for rapid and effective work. On the 1st, it passed the Convention Act. It provided for the manufacture of arms and other munitions of war. It created a military board, "to advise with the Governor relative to the appointment of all military and naval officers, or such other matters respecting military or naval affairs as the General Assembly shall assign to said board." It passed an act providing for the public defense, authorizing the Governor to employ the military and naval force of the State "to repel invasions and aid the Confederate States of America," and authorizing him further to call for and accept twenty thousand volunteers, "with power to increase said volunteer force to the number of fifty thousand, if the public exigencies demand it." It also provided in detail for the execution of this law. It provided for raising five millions of dollars to meet the demands upon the public treasurer. It organized the military departments. It also passed an act to raise and organize a special force of ten thousand State troops to serve during the war. It provided for the payment of the volunteers. It provided for the erection of telegraph lines, and authorized the Governor to take possession of existing lines and control them if in his judgment the public safety should require it. It provided for taxation and revenue. It passed a "stay" law. It defined treason and provided for its punishment. It authorized the Governor to erect batteries and fortifications and to purchase vessels for coast defense at his discretion, and to draw upon the public treasurer for the money.



## CHAPTER II.

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Swift, however, as was the action of Governor Ellis the people were in advance of him. The Governor was under the necessity of proceeding by the means of official forms, and the delay which these forms necessarily required seemed an age to the excited and impatient people. They were not embarrassed by any of the restraints incident to formal proceedings, and did not hesitate to act immediately and upon their own responsibility, knowing the necessities of the hour would fully justify them in public opinion.

Fort Macon, defending the entrance to the harbor and town of Beaufort, was taken possession of on the 11th day of April, 1861, by a company from Beaufort, under Captain Pender. The fort was not garrisoned, and Sergeant Alexander, United States Army, who was then in charge, offered no resistance.

The condition of Fort Macon at the time of its capture is given in the official annual report of Captain J. G. Foster, U. S. Engineers, dated October 1, 1861. He says: \* \* \* "This fort was taken possession of by the troops of the State of North Carolina about the middle of April. It was at that time in bad repair. A few guns (four, I believe,) were mounted on the southeast or sea front, but the carriages were decayed and weak. The site of the fort was tolerably well preserved by the temporary brush jetties that were constructed last winter for this purpose." \* \* \*





On the 1st of January, 1861, the day of his inauguration for his second term of office, Governor Ellis was waited upon by a delegation from Wilmington. The delegation arrived in a special train, and was headed by William S. Ashe. Their object, as they stated, was to obtain the sanction or authority of the Governor to take possession of Fort Caswell, to prevent it from being garrisoned by troops from the United States vessel Harriet Lane. The Governor declined. Notwithstanding his refusal, however, Fort Caswell was taken by the Smithville Guards, under Captain S. D. Thurston, about one week afterwards.

James Reilly, ordnance sergeant, United States Army, in charge at Fort Johnston, says in his report dated January 9, 1861, 9 o'clock A. M., that on that morning at four o'clock Fort Johnston was taken possession of by a party of citizens from Smithville. They came to his door and demanded the keys. He replied that he would not surrender them with his life. They answered him that it was no use to be obstinate, for they had the magazine already in their possession, and a party of twenty men around it, and were determined to hold it, if not by fair means they would break it open. Sergeant Reilly says that he considered and concluded it was no use to *perserere*, and upon the capturing party agreeing to give receipts therefor, he delivered to them the ordnance and ordnance stores at the post.

The sergeant, writing at the time these proceedings were going on, says: "They have taken out of the magazine at this post nearly all the musket cartridges in it; they are also taking the guns out of the block-house and mounting them. I would have telegraphed long since, had I an opportunity, to the department, but I could get no means of going to Wilmington—no person would hire me their horse or boat for that purpose."

The capturing party, leaving fifteen men in charge of Fort Johnston, proceeded to Fort Caswell on the same day, and taking possession, relieved Sergeant Dardinkiller, United States Army, then in charge of the post.



On the next day Sergeant Reilly made another report, dated Fort Johnston, January 10, 1861. 11 o'clock A. M. He says: "I respectfully wish to state that the party of citizens who took possession of Forts Johnson and Caswell yesterday have perceived their error. It seems that they were not sustained by the people which brought them into it, or caused them to create such an act of violence against the Federal Government. They were the leaders of a few fanatics in Wilmington, who sent a dispatch to this place that the department had ordered the revenue cutter forward with troops to garrison Forts Johnson and Caswell, and that they should take possession of the forts before the Federal troops should arrive; that they would assist them with both men, money and provisions. They failed to do so. Then they came to both me and Sergeant Dardinkiller and asked us to take back the public property. I answered, yes, if there was none of it broken, or none of the ammunition expended. It was returned in good order." \* \* \*

Fort Caswell, however, was at once re-occupied by a party of citizens from Wilmington and Smithville. Frederiek Dardinkiller, sergeant in charge, states this in a report dated Fort Caswell, January, 11, 1861. He says: "They took possession at 7 o'clock on the night of the 10th inst. The individual who represents them as commanding officer is a Mr. Hedrick, from Wilmington; he has signed receipts to me for all the ordnance stores at the post and is using such of them as he needs." \* \* \*

Again was Fort Caswell vacated by the citizens, according to Dardinkiller's report, January 14, 1861. Captain Hedrick left the post on that day and turned over to the sergeant all the ordnance stores except what he had expended.

The causes which led to the occupation of Forts Johnston and Caswell, and their subsequent surrender by the citizens of Wilmington and Smithville, together with other matter of interest, will appear in the following correspondence between Governor Ellis and the War Department: \*





“ EXECUTIVE DEPARTMENT,

“ RALEIGH, *January 12, 1861.*

“ His Excellency, JAMES BUCHANAN,

*President of the United States.*

“ SIR: Reliable information has reached this department that on the 9th inst. Forts Johnston and Caswell were taken possession of by State troops and persons resident in that vicinity in an irregular manner. Upon the receipt of this information I immediately issued a military order requiring the forts to be restored to the authorities of the United States, which order will be executed this day.

“ My information satisfies me that this popular outbreak was caused by a report, very generally credited, but which, for the sake of humanity, I hope is not true, that it was the purpose of the administration to coerce the Southern States, and that troops were on their way to garrison the Southern forts and begin the work of our subjugation. This impression is not yet erased from the public mind, which is deeply agitated at the bare contemplation of so great an indignity and wrong, and I now most earnestly appeal to your Excellency to strengthen my hands in my efforts to preserve the public order here by placing it in my power to give public assurances that no measures of force are contemplated toward us. Your Excellency will, therefore, pardon me for asking whether the United States forts in this State will be garrisoned with Federal troops during your administration? This question I ask in perfect respect and with an earnest desire to prevent consequences which I know would be regretted by your Excellency as much as myself. Should I receive assurances that no troops will be sent to this State prior to 4th March next, then all will be peace and quiet here, and the property of the United States will be fully protected as heretofore. If, however, I am unable to get such assurances I will not undertake to answer for the consequences.

“ The forts in this State have long been unoccupied, and





their being garrisoned at this time will unquestionably be looked upon as a hostile demonstration, and will, in my opinion, be certainly resisted. Believing your Excellency to be sincerely desirous of preserving peace and preventing the effusion of the blood of your countrymen, I have deemed it my duty to yourself as well as to the people of North Carolina to make the foregoing inquiry and to acquaint you with the state of the public mind here.

“Very respectfully, your obedient servant,  
(Signed) “JOHN W. ELLIS.”

To this communication Governor Ellis received the following reply: \*

“WAR DEPARTMENT, *January 15, 1861.*

“To His Excellency, JOHN W. ELLIS,

“*Governor of North Carolina, Raleigh.*

“SIR: Your letter of the 12th instant, addressed to the President of the United States, has by him been referred to this department, and he instructs me to express his gratification at the promptitude with which you have ordered the expulsion of the lawless men who recently occupied Forts Johnston and Caswell. He regards this action on the part of your Excellency as in complete harmony with the honor and patriotic character of the people of North Carolina, whom you so worthily represent.

“In reply to your inquiry whether it is the purpose of the President to garrison the forts of North Carolina during his administration, I am directed to say that they, in common with the other forts, arsenals, and public property of the United States, are in the charge of the President, and that if assailed, no matter from what quarter, or under what pretext, it is his duty to protect them by all the means which the law has placed at his disposal. It is not his purpose to garrison the forts to which you refer at present, because he considers them entirely safe, as heretofore, under the shelter of that

\*Ibid., p. 485.



law-abiding sentiment for which the people of North Carolina have ever been distinguished. Should they, however, be attacked or menaced, with danger of being seized and taken from the possession of the United States, he could not escape from his constitutional obligations to defend and preserve them. The very satisfactory and patriotic assurances given by your Excellency justify him, however, in entertaining the confident expectation that no such contingency will arise.

"I have the honor to be, very respectfully, your obedient servant,

"J. HOLT,

*"Secretary of War ad interim."*

Forts Johnston and Caswell were each in charge of one United States soldier, and were again taken possession of without difficulty. Captain Foster, in the same report, part of which has been given, says of Fort Caswell: "This fort was taken possession of on the 16th of April, 1861, by a militia company from Wilmington, N. C., commanded by Mr. John Cantwell. The fort keeper and ordnance sergeant were forced to leave, and all public property in the fort and at Fort Johnston, Smithville, N. C., were taken possession of. At the time of this seizure very few guns were inside of the fort, and these were of inferior calibres, and without carriages to mount them. The gorge of the main work and the right flank and gorge of the covered way were without traverse circles for guns, which was a serious want, as these parts now bear more directly than others upon the channel, which has shifted on the bar from the east to the west shore. The fort generally was in good repair, having been quite thoroughly repaired two years since. The shot furnaces were not in good order and required rebuilding, as is also the case with those at Fort Macon." \* \* \*

On the 18th of May, 1861, Captain Foster makes the following report to Capt. Joseph G. Totten, Chief Engineer, Washington, D. C., in reference to the second seizure of Forts Johnston and Caswell, viz.:





“NEW YORK, *May 18, 1861.*

“GENERAL: I have the honor to report the circumstances connected with the seizure of Fort Caswell by the militia of North Carolina as they are reported to me by John Russell, fort keeper, who has arrived in this city.

“The fort was taken possession of by the Wilmington Light Infantry, Col. John Cantwell commanding, on the 16th of April. The force was subsequently increased, and a large force of laborers employed to mount the guns, to erect temporary quarters on the terre-plains, to construct a railway from the wharf to the fort, to deepen the ditch of the fort, and to erect an earthen battery about one-half mile from the fort on the beach opposite the bar.

“The eighteen guns inside the fort were mounted, and four others of the same size brought there and also mounted, besides two guns at the main gates inside the fort. A considerable quantity of provisions and many boxes of rifles were landed and stored in the fort. The lights in the light-houses and beacons are put out, and the Frying-Pan Shoal light-ship removed. A schooner was sunk in the new inlet to obstruct the channel, but it does not appear to accomplish this completely, as vessels pass in and out by it. Fort Johnston was also in possession of the insurgents, but some excitement had arisen from the occurrence of two fires simultaneously—one inside the fort which consumed the large building called the hospital, and the other a private house outside of the walls. Both were supposed to be the work of incendiaries, and some negroes were suspected.

“The troops at Fort Caswell are actively employed in preparing for defense, making ball cartridges, &c., and W. H. C. Whiting, formerly of the corps of engineers, had been there to give the necessary directions as a major of engineers of the so-called Southern Confederacy.

“Very respectfully, your obedient servant,

“J. G. FOSTER,

“*Captain Engineers.*”



In the month of October, 1860, the United States arsenal at Fayetteville was in charge of Capt. J. A. J. Bradford, United States Army. There were stored in this magazine a large number of small arms, gun-powder, and other munitions of war. The people of Fayetteville becoming apprehensive for the safety of the arsenal, drew up a paper, which was signed by S. J. Hinsdale and others, and addressed to Archibald McLean, mayor of the city, and reads as follows, viz.:

“FAYETTEVILLE, *October 20, 1860.*

“SIR: The undersigned deem it important that there should be a company of United States soldiers in charge of the United States arsenal at this place, and desire that you make the necessary application for them as soon as practicable.

(Signed)

“S. J. HINSDALE *et al.*”

Mayor McLean on the same day inclosed a copy of this paper in a communication which he addressed to Captain Bradford. The mayor says: “The high standing in point of respectability and influence of the parties whose names appear to the paper entitles it to every respect and induces me to submit the subject to your consideration.

“In submitting the application, I beg to call your attention to an excited state of feeling in the community, originating, as is alleged, in a sense of insecurity because of the large amount of arms and ammunition at your post, without adequate force for their protection. This fact strongly suggests that something should be done to allay apprehensions certainly existing, whether with or without sufficient cause.”\*

Captain Bradford replied on the 22d of the same month, stating that, “neither in the paper of request nor in your communication is there intimation of any menace against my post, nor have I intimation of any. I can see no necessity, therefore, for the presence of troops here at this time.”

On the 23d another paper was addressed by the citizens

\*War of Rebellion. Official Records, vol. 1, p. 482.





to the mayor, signed by W. G. Mathews and others, requesting the mayor to make direct application to the War Department for the troops, whose presence Captain Bradford thought unnecessary.

The signers say: "We know of no open attack that is meditated upon the arsenal. If we did, we, as citizens of Fayetteville and North Carolina, would know how to meet it. The raid at Harper's Ferry, and all subsequent events in the South, teach us that all mischief comes (and it is to be especially dreaded on that account) without menace. If any attempt is made on lives and property, it will not be made with light of day and with a warning beforehand, but at the dead hour of night, when all are unsuspecting. And when we look about to know what means the assassin has at hand to enable him to carry out his dreadful designs, we find them stored up in immense quantities at our very doors in the shape of United States muskets, swords, pistols, &c., with, as we are informed, large quantities of powder, with one single man standing as guard. We think our request not an unreasonable one, when we place it purely upon the assumption that you place it. Where there are arms there should be a guard to protect them, without any reference whatever to any peculiar state of affairs. It is hardly necessary to say in the close that these views of things grow out of the events most especially that had taken place within a year all over the South, and that all the unfortunate, untoward events have come at all times without a menace."

On the 25th the mayor addressed this application to Hon. J. B. Floyd, Secretary of War, and was answered immediately that the request for troops should be complied with as soon as practicable. Accordingly, on the first of November, General Scott was directed by Secretary Floyd to order "the company of Second Artillery, now at Fort Hamilton, New York, to proceed to Fayetteville, North Carolina, and take post at the North Carolina arsenal."\* The order was made and the troops arrived in Fayetteville shortly thereafter.

\* *Ibid.*, p. 44.





It soon became rumored that these troops had been forwarded at the solicitation of Governor Ellis. The Governor was much incensed. He indignantly denied the rumor, and wrote, on the 16th of November, to Colonel E. H. Britton, editor of the *Charlotte Bulletin*, into which paper the rumor had been copied from the *Norfolk Herald*, saying: "I wish to say through your columns that I had no previous knowledge of the President's intention to send such troops to Fayetteville, and certainly never made any such request of him. I know nothing of his purposes in doing so, and regard the measure as wholly unnecessary within itself, and at this time exceedingly imprudent, as tending to increase the irritation of the public mind."

Governor Ellis inclosed this communication to Secretary Floyd on the 19th, and added: "I avail myself of the occasion to say, that a publication of the reasons that influenced the administration to send United States troops to Fayetteville, is due to the Executive and the people of North Carolina. Such a measure is here notoriously unnecessary, and has produced no little irritation in the public mind. Their immediate removal would be a proper and politic step, and, if the Government has any other use for them, one that would conduce to the interests of the public service. I ask, therefore, that these troops be removed."\*

Secretary Floyd replied to the Governor on the 22d, inclosing a copy of the letter from the Mayor of Fayetteville, and of the petitions of the citizens of that town. The Secretary expressed his regret, "that the movement of troops, made at considerable expense to the United States, and intended alone to give a sense of security to the feelings of the people who applied for the guard, should have been considered by the Executive of North Carolina as a ground of complaint. It will give me great pleasure to remove the troops from the arsenal at your request," the Secretary concludes, "particularly as their services are much needed elsewhere."\*

\*Ibid., p. 481.

†Ibid., p. 481.



# EXECUTIVE AND STAFF OFFICERS.

<p><i>Commander-in-Chief.</i> Governor JOHN W. ELLIS, (January 1, 1880, to June 7, 1881.)</p>	<p><i>Commander-in-Chief.</i> Governor HENRY T. CLARK, (June 7, 1881, to September 8, 1882.)</p>	<p><i>Commander-in-Chief.</i> Governor ZEBULON BAIRD VANCE, (September 8, 1882, to April 26, 1883.)</p>
<p><i>Adjutant-General.</i> Col. EDWARD C. JORDAN, Col. JAMES R. LOVE, JR., Col. THOMAS H. HOLMES, Col. J. V. JORDAN.</p>	<p><i>Adjutant-General.</i> Col. DANIEL M. BARRINGER, Lieut.-Col. SPETER WHITTAKER.</p>	<p><i>Adjutant-General.</i> Col. DAVID A. BARNES, Col. GEORGE DITTEL, Lieut.-Col. JOHN L. MOREHEAD.</p>
<p><i>Adjutant-General.</i> Col. JOHN F. DODGE, <i>Assistant-Adjutant-General.</i> Col. R. H. RIDDICK.</p>	<p><i>Major-General.</i> JAMES G. MARTIN. <i>Staff Officers.</i> Capt. AUGUSTUS M. LEWIS, Paymaster. Capt. JOHN DEVEREUX, Asst.-Adjutant-General. Capt. A. GORDON, Asst.-Adjutant-General. Capt. WILLIAM H. GILLES, Asst.-Adjutant-General. Capt. JOHN C. WINDELL, Asst.-Quartermaster. Capt. ABRAHAM MYERS, Asst.-Quartermaster. Capt. MOSES A. BLEDSDALE, Asst. Quartermaster. Capt. JAMES SLOAN, Asst.-Commissary. Capt. THOMAS D. JONES, Asst.-Commissary. Capt. CHARLES W. GARDNER, Asst.-Commissary. Capt. ALLEN W. LAWRENCE, Ord. Department. Capt. W. W. FLETCHER, Ord. Department.</p>	<p><i>Major-General.</i> RICHARD C. GATLIN. Major-General. DANIEL G. FOWLE. <i>Staff Officers.</i> Major JAS. H. FROTE, Asst.-Adjutant-General. Major WILLIAM A. DEAN, Asst.-Adjutant-General. 1st Lieut. JOHN E. NEATHERY, Asst.-Adjutant-General. 1st Lieut. GEORGE V. THOMPSON, Asst.-Adjutant-General. Major JOHN L. FLETCHER, Paymaster. Major JOHN DEVEREUX, Quartermaster. Major HENRY A. POWELL, Quartermaster. Major JAMES SLOAN, Ord. Department. Major JOHN S. WATKINS, Quartermaster. 1st Lieut. THOMAS D. JONES, Commissary. 1st Lieut. JAMES D. GARDNER, Commissary. Major THOMAS D. JONES, Commissary. 1st Lieut. CHARLES H. THOMPSON, Commissary. 1st Lieut. JOSHUA COLLINS, Ordnance. 1st Lieut. JOHN A. BOYDEN, Ordnance.</p>
<p><i>Surgeon-General.</i> Col. CHARLES E. JOHNSON.</p>		<p><i>Surgeons.</i> COL. EDWARD WARREN. (with assimilated rank of Colonel.)  PETER F. JONES, Medical Director. E. BURKE HAYWOOD, Gen. Hospital, Raleigh.</p>





## ROSTER OF NORTH CAROLINA OFFICERS.

## LIEUTENANT-GENERALS.

## DANIEL HARVEY HILL.

First Lieutenant and Brevet Major 4th Art., U. S. A. Resigned in 1849. Colonel of "Bethel" Regiment May 15, 1861. Commissioned Brigadier-General July 10, 1861; Major-General, March 26, 1862; Lieutenant-General, July 11, 1863.

*Commands.*

Organized and commanded Camp of Instruction at Raleigh, N. C., May 1 to May 25, 1861. Commanding Department of North Carolina 1861. Commanded one of five divisions at Yorktown. Commanding Department of Southern Virginia and North Carolina, August, 1862, to July, 1863. Commanding Division, Army Northern Virginia, composed of Brigades of Raine, Rhode, Garland, G. B. Anderson, Jackson's Corps, 1862, 1863; Brigades of Dole, Iverson, Rode and Colquitt, Jackson's Corps, 1863. Commanding Corps in Army of Tennessee, at battle of Chickamauga, composed of Brigades of Deas, Manigault, Sharp, Bentley; Divisions of Cleburne and Breckinridge, September 19th, 26th, 1863. Commanding Southern Division Lee's Corps at battle of Bentonville, N. C., March 19, 1865. *Brigade* in Army of Northern Virginia, composed of 13th, 17th, 21st, 28th Mississippi Regiments.

## THEOPHILUS H. HOLMES.

Major 8th Inf., U. S. A. Colonel Corps of Infantry, C. S. A., March 16, 1861. Commissioned Brigadier-General P. A. C. S., June 5, 1861; Major-General, October 7, 1861; Lieutenant-General, October 10, 1862.

*Commands.*

In Charge of Defences of North Carolina, April 22, 1861. Commanding Brigade, Army of Potomac, 1861. Commanding Aquia District, Department Northern Virginia, October 22, 1861, to March, 1862. Department of Trans-Mississippi, July 16, 1862, to March, 1863. Commanding District of Arkansas, March, 1863, to April, 1864. Commanding Reserve Forces in North Carolina, April, 1864.

## MAJOR-GENERALS.

## WILLIAM HENRY CHASE WHITING.

Captain Engineer Corps, U. S. A. Resigned and appointed Inspector-General of North Carolina Forces. Major Corps Engineers, C. S. A., March 16, 1861. Brigadier-General, P. A. C. S., July 21, 1861. Major-General P. A. C. S., February 28, 1863. Mortally wounded at Fort Fisher, January 21, 1865. Captured, and died at Governor's Island, N. Y., March 10, 1865.

*Commands.*

*Brigade*, Army of Potomac, composed of 2d, 11th Mississippi, 4th Alabama and 6th North Carolina Regiments Infantry. Commanding Third Brigade, Army Shenandoah. Division composed of Brigades of Hood and Law, Reilly's Battery of Artillery. Commanding District of Cape Fear, Department North Carolina, December, 1862, to February, 1863.

## WILLIAM D. PENDER.

Resigned First Lieutenant and Adjutant of the First Dragoons, U. S. A. Colonel Sixth Regiment North Carolina Infantry, August 15, 1861. Brigadier-General, June 3, 1862. Major-General, May 27, 1863. Died July 18, 1863, of wounds received at Gettysburg, July 2, 1863.

*Commands.*

*Brigade*, composed of 13th, 16th, 22d, 34th, 38th North Carolina Regiments, Anderson's Division, A. P. Hill's Corps, Army Northern Virginia. *Division*, composed of Brigades of Scales, (formerly Pender's) McGowan, Lane, and Thomas, Army Northern Virginia.

## ROBERT RANSOM, JR.

Resigned Captain First Cavalry, U. S. A., May 24, 1861. Commissioned Captain, Corps



Cavalry, C. S. A., March 16, 1861. Colonel Ninth Regiment (First Cavalry, North Carolina Troops, May 8, 1861. Promoted Brigadier-General March 6, 1862; Major-General May 26, 1863.

*Commands.*

Commanding Brigade near Kinston, N. C., composed of 25th, 26th, 27th, 46th Regiments North Carolina Infantry, 1862. Commanding Department Richmond, April 25 to June 13, 1861. Brigade composed of 24th, 25th, 26th, 35th, 49th Regiments North Carolina Infantry. Commanding Division at Fredericksburg, composed of Brigades of Cooke and Ransom. Commanding left wing of Beauregard's Army, May 16, 1864. Commanding 5th District, No. 2, South Carolina, Georgia and Florida, 1864. Headquarters at Charleston, S. C. Surrendered at Warrenton, N. C., May 2, 1865.

CADMUS M. WILCOX.

Resigned Captain Seventh Regiment, U. S. A., Infantry, January 8, 1861. Captain Corps Artillery, C. S. A., March 16, 1861. Colonel Ninth Alabama Regiment Infantry, July 9, 1861. Brigadier-General October 21, 1861. Major-General August 3, 1863.

*Commands.*

*Brigade*, composed of 8th, 9th, 10th, 11th, 14th Alabama, 19th Mississippi, 38th Virginia Regiments Infantry, Anderson's Division, Army of Potomac, Hill's Corps, Army Northern Virginia. In 1862 19th Mississippi transferred; 8th, 14th Alabama added.) *Division*, composed of Brigades of Lane, Seales, McGowan, Thomas, A. P. Hill's Corps, Army Northern Virginia. Surrendered at Appomattox Court-House.

JERRY F. GILMER.

Resigned Captain Corps United States Engineers, May 31, 1861. Lieutenant-Colonel of Corps Engineers, C. S. A., September 19, 1861. Colonel, June, 1862. Chief of Engineer Bureau, C. S. War Department. Major-General, August 16, 1863.

*Commands.*

Chief Engineer Department No. 2, 1862 in Gen. A. Sidney Johnston's Department. Wounded at Shiloh. Chief Engineer Army Northern Virginia, August 4, 1862. Second in command, Department Georgia, Florida, August 31, 1863. Headquarters at Savannah. Special duty Department Gulf, July, 1864. In charge Engineer Bureau, War Department, Richmond, August, 1864. Accompanied President and Cabinet to Georgia on the retreat. Surrendered May, 1865.

STEPHEN D. RAMSEUR.

Resigned Second Lieutenant Fourth Artillery, U. S. A., April, 1861. Appointed First Lieutenant Artillery C. S. A., April 22, 1861. Elected Captain "Ellis Artillery," April, 1861. Major 10th Regiment North Carolina Artillery, May 16, 1861. Colonel 49th Regiment North Carolina Infantry, April 12, 1862. (Wounded at Malvern Hill.) Brigadier-General, November 1, 1862; Major-General, June 1, 1864. Killed at Winchester, October 19, 1864.

*Commands.*

*Brigade*, composed of 2d, 4th, 14th, 30th North Carolina Regiments Infantry, D. H. Hill's Division, Army Northern Virginia. *Division*, composed of Brigades of Pegram, Johnston and Godwin. Army Northern Virginia.

ROBERT E. HOKE.

Entered Service as Private, elected Second Lieutenant Company K, "Bethel" Regiment, April 23, 1861. Major "Bethel" Regiment, September 1, 1861. Lieutenant-Colonel 33d North Carolina Regiment, January 17th, 1862. Colonel 21st Regiment, August 5, 1862. Brigadier-General, January 17, 1863. Major-General, April 29, 1864.

*Commands.*

*Brigade*, composed of 6th, 21st, 34th, 57th North Carolina Regiments, and 1st North Carolina Battalion Infantry, Early's Division, Jackson's, (afterwards Ewell's) Corps, Army Northern Virginia. *Division*, composed of Martin's, Hagood's, Clingman's and Colquitt's brigades. Commanding District of North Carolina, April, 1864.

BRYAN GRIMES.

Major Fourth Regiment North Carolina Infantry, May 8, 1861; Colonel, June 19, 1862. (His horse was killed under him at Seven Pines. He was wounded at Chancellorville. Promoted Brigadier-General, May 19, 1864. Promoted Major-General February 15, 1865) Assassinated near Bear Creek, N. C., August 14, 1880.

*Commands.*

Commanding Brigade, composed of 32d, 43d, 45th, 53d North Carolina Regiments Infantry, and Second North Carolina Battalion Infantry, (formerly Daniel's Brigade, Rode's, Division (24 corps), Army Northern Virginia. Commanding Divisions, composed of Brigades of Battle, Phil Cook, W. R. Cox and Grimes (Rode's old Division) Army Northern Virginia. Commanded temporarily G. B. Anderson's Brigade, until relieved by General Ramseur, in May, 1863.





## BRIGADIER-GENERALS.

## GABRIEL J. RAINES.

Colonel Corps of Infantry, C. S. A. Brigadier-General, September 23, 1861, P. A. C. 3

*Commands.*

In charge of Bureau of Conscription, December, 1862. Chief of Torpedo Service, January, 1861.

## LAWRENCE O'BRIEN BRANCH.

Colonel Thirty-third Regiment North Carolina Infantry, September 20, 1861. Brigadier-General P. A. C. S., November 16, 1861. Killed September 17, 1862, at Sharpsburg.

*Commands.*

Commanding Forces at Battle of Newbern, March 14, 1862. *Brigade*, composed of 7th, 18th, 28th, 33d, 37th North Carolina Regiments Infantry, A. P. Hill's Division, Jackson's Corps, Army Northern Virginia.

## JAMES JOHNSON PETTIGREW.

Colonel Twenty-second Regiment North Carolina Infantry, July 11, 1861. Wounded at Seven Pines. Brigadier-General P. A. C. S., February 26, 1862. Died of wounds, July 18, 1863, received at Falling Waters, on retreat from Gettysburg.

*Commands.*

*Brigade*, composed of 11th, 17th, 26th, 42d, 41th, 47th, 52d Regiments North Carolina Infantry, Heth's Division, A. P. Hill's Corps, Army Northern Virginia.

## THOMAS L. CLINGMAN.

Colonel Twenty-fifth Regiment North Carolina Infantry, August 15, 1861. Brigadier-General P. A. C. S., May 17, 1862.

*Commands.*

*Brigade*, composed of 8th, 31st, 51st, 61st Regiments North Carolina Infantry. Assigned to Hoke's Division, December, 1862. In command at Wilmington, N. C., December, 1862. January, 1863. Commanding at Sullivan's Island, S. C., 1863.

## JAMES G. MARTIN.

Major A. Q. M. Department, U. S. A. Captain Corps Cavalry, C. S. A., March 16, 1861. Brigadier-General P. A. C. S., May 15, 1862. Resigned July 25, 1862. Reappointed September 20, 1862. Adjutant-General of North Carolina under Governors Ellis and Clark, September 20, 1861. (Date of former commission, May 16, 1861.)

*Commands.*

*Brigade*, composed of 17th, 42d, 50th, 60th Regiments North Carolina Infantry.

## RICHARD C. GATLIN.

Colonel Corps Infantry, C. S. A., March 16, 1861. Brigadier-General P. A. C. S., July 8, 1862. Resigned September 8, 1862. Adjutant-General of North Carolina (with rank of Major-General) under Governor Vance, September, 1862.

*Commands.*

Commanding, Department of Coast Defence of North Carolina, January, 1862.

## GEORGE BURGWIN ANDERSON.

Resigned First Lieutenant, Second Dragoons, U. S. A., April, 1861. Colonel Fourth Regiment North Carolina Infantry, May 18th, 1861. Brigadier-General, June 9, 1862. Died October 16, 1862, of wounds received at Sharpsburg, September 17, 1862.

*Commands.*

*Brigade*, composed of 2d, 4th, 14th, 20th Regiments North Carolina Infantry, D. H. Hill's Division, Jackson's Corps, Army Northern Virginia.

## JUNIOR DANIEL.

Resigned U. S. A. 1857. Colonel 14th Regiment North Carolina Infantry, June 3d, 1861. Elected Colonel 45th Regiment North Carolina Infantry, April 6th, 1862. Brigadier-General September 1, 1862. Died of wounds at Spottsylvania Court-House, May 12, 1864.

*Commands.*

*Brigade*, composed of 32d, 43d, 45th, 53d Regiments North Carolina Infantry, and Second North Carolina Battalion Infantry. Rode's Division, Ewell's Corps, Army Northern Virginia.





# ROSTER OF NORTH CAROLINA OFFICERS.

V

## JOHN R. COOKE.

Resigned First Lieutenant 8th Regiment, U. S. A. (Infantry), April, 1861. First Lieutenant Corps Artillery, U. S. A., May 16, 1861. Captain Artillery, August, 1861. Major and Chief of Artillery, Holmes' Staff, February, 1862. Colonel 27th North Carolina Regiment Infantry, April 16, 1862. Brigadier-General P. A. C. S., November 1, 1862. Wounded at Fredericksburg, Bristol Station. Surrendered at Appomattox Court-House.

### *Commands.*

*Brigade*, composed of 15th, 27th, 49th, 18th Regiments North Carolina Infantry, Heth's Division, A. P. Hill's Corps, Army Northern Virginia.

## ALFRED IVERSON, JR.

Captain Corps Infantry, U. S. A., March 16, 1861. Colonel 20th Regiment, North Carolina Infantry, June 18, 1861. Brigadier-General P. A. C. S., November 1, 1862. Resigned 1864.

### *Commands.*

*Brigade*, composed of 5th, 12th, 20th, 23d Regiments North Carolina Infantry, D. H. Hill's Division, Jackson's Corps, Army Northern Virginia. Commanding *Begun*—1864—composed of 1st, 2d, 3d, 4th, 6th Georgia Cavalry Regiments, Martin's Division, Wheeler's Corps, Army of Tennessee.

## JAMES H. LANE.

Adjutant "Camp of Instruction," Raleigh, North Carolina, 1861. Major "Bethel" Regiment, April 24, 1861. Lieutenant-Colonel, September 1, 1861. Colonel 25th Regiment North Carolina Infantry, September 21, 1861. Brigadier-General P. A. C. S., November 1, 1862.

### *Commands.*

*Brigade*, composed of 7th, 18th, 28th, 37th, 33d, (Formerly Branch's Brigade,) North Carolina Infantry, A. P. Hill's Division, Jackson's Corps, (afterwards Pender's Division,) Army Northern Virginia. Commanded Brigade as Colonel, September 30, 1862.

## ROBERT BRANK VANCE.

Captain Company H, 29th Regiment, North Carolina Infantry, 1861. Colonel 26th Regiment North Carolina Infantry, September 24, 1861. Brigadier-General P. A. C. S., March 4, 1863.

### *Commands.*

*Brigade*, composed of 29th and 30th Regiments North Carolina Infantry, 3d and 9th Battalions, Georgia Infantry, and McDuffie's Battery Light Artillery; McGowan's Division, Polk's Corps, Army of Tennessee.

## MATT. W. RANSOM.

Lieutenant-Colonel 1st Regiment North Carolina Infantry, May 8, 1861. Colonel 35th North Carolina Regiment Infantry, April 22, 1862. Brigadier-General P. A. C. S., June 13, 1863. Surrendered at Appomattox Court-House.

### *Commands.*

*Brigade*, composed of 24th, 25th, 35th, 49th, 50th Regiments North Carolina Infantry.

## ALFRED MOORE SCALES.

Private 13th Regiment North Carolina Infantry, Captain Company H, 13th Regiment, May 10, 1861. Colonel 13th Regiment, October 12, 1861. Brigadier-General P. A. C. S., June 13, 1863. Wounded at Chancellorsville and at Gettysburg.

### *Commands.*

*Brigade*, composed of 13th, 16th, 22d, 34th, 35th Regiments North Carolina Infantry, (formerly Pender's Brigade) Wilcox's Division, A. P. Hill's Corps, Army Northern Virginia.

## LAWRENCE S. BAKER.

Captain Corps Cavalry, U. S. A., April 16, 1861. Lieutenant-Colonel Ninth Regiment, (First Cavalry,) May 8, 1861. Colonel Ninth Regiment Cavalry, April 3, 1862. Brigadier-General P. A. C. S., August 29, 1863.

### *Commands.*

Second Military District, Department of North Carolina and Southern Virginia.

## WILLIAM W. KIRKLAND.

Colonel Twenty-first Regiment North Carolina Infantry, July 3, 1861. Brigadier-General P. A. C. S., August 29, 1863. Brigade subsequently composed of 17th, 42d, 50th, 66th North Carolina Regiments Infantry, Hoke's Division, Army Northern Virginia.

### *Commands.*

*Brigade* composed of 11th, 26th, 44th, 47th, 52d Regiments North Carolina Infantry, (formerly Pettigrew's Brigade,) Heth's Division, A. P. Hill's Corps, Army Northern Virginia.



## ROBERT D. JOHNSON.

Second Lieutenant "Beattie Ford Rifles," May 9, 1861. Captain Company K, Twenty-third Regiment North Carolina Infantry, June 22, 1861. Lieutenant-Colonel Twenty-third Regiment, May 10, 1862. Brigadier-General P. A. C. S., September 1, 1863.

*Commands.*

*Brigade*, composed of 5th, 12th, 20th, 23d Regiments, 2d Battalion, North Carolina Infantry, D. H. Hill's Division, (afterwards Rode's, Ramseur's and Pegram's,) Ewell's Corps, Army Northern Virginia.

## JAMES B. GORDON.

Major Ninth Regiment, (First Cavalry, May 8, 1861. Lieutenant-Colonel, March 1, 1862. Colonel—, Brigadier-General P. A. C. S., September 5, 1863. Major-General, (temporary rank,) May 14, 1864. Killed at Yellow Tavern, Va., May, 1864.

*Commands.*

*Brigade*, composed of 1st, 2d, 3d, 4th, 5th Regiments North Carolina Cavalry, Army Northern Virginia. (These regiments were formerly numbered, 9, 19, 41, 57, 63.)

## WILLIAM GASTON LEWIS.

Third Lieutenant Company A, First Regiment, North Carolina Infantry, "Bethel" Regiment, April 20, 1861. Major Thirty-third Regiment, January 17, 1862. Lieutenant-Colonel Forty-third Regiment, April 23, 1862. Brigadier-General P. A. C. S., May 31, 1864. Wounded at Farmville, Va., Friday preceding the surrender on Sunday. The last general officer in the army wounded.

*Commands.*

*Brigade*, composed of 6th, 21st, 54th, 57th Regiments North Carolina Infantry, Ramseur's Division, (afterwards Pegram's and subsequently Walker's,) Ewell's Corps, Army Northern Virginia.

## WILLIAM RUFFIN COX.

Major Second Regiment North Carolina Infantry, May 8, 1861. Lieutenant-Colonel, October 17, 1862. Colonel, March 20, 1863. Brigadier-General P. A. C. S., May 31, 1864.

*Commands.*

*Brigade*, composed of 2d, 4th, 14th, 30th, and portion of 1st and 3d Regiments North Carolina Infantry, Ransom's Division, Gordon's Corps, Army Northern Virginia. (Previous to appointment as Brigadier served in Anderson's Brigade, D. H. Hill's Division, Jackson's Corps.)

## RUFUS BARRINGER.

Captain Company "F," Ninth (First) Cavalry Regiment, April 19, 1861. Major, August 26, 1863. Lieutenant-Colonel, October 17, 1863. Brigadier-General P. A. C. S., June 1, 1864. Wounded at Brandy Station, Auburn Mills, and twice at White Oak Swamp.

*Commands.*

*Brigade*, composed of 1st, 2d, 3d, 5th Regiments North Carolina Cavalry, W. H. F. Lee's Division, Hampton's Corps, Army Northern Virginia.

## ARCHIBALD C. GODWIN.

First Lieutenant Corps Infantry, C. S. A., October 18, 1861. Colonel 57th Regiment North Carolina Infantry, July 17, 1862. Brigadier-General P. A. C. S., August 5, 1864. Killed at Winchester, Va., September 19, 1864.

*Commands.*

*Brigade*, composed of 6th, 21st, 54th, and 57th Regiments North Carolina Infantry, (formerly Hoke's Brigade,) Early's Division, Ewell's Corps, Army Northern Virginia.

## WILLIAM McRAE.

Captain Company B, 15th Regiment North Carolina Infantry, May 11, 1861. Lieutenant-Colonel, May 2, 1862. Colonel, February 27, 1863. Brigadier-General P. A. C. S., November 1, 1864. (Held temporary rank Brigadier-General, June, 1864.)

*Commands.*

*Brigade*, composed of 11th, 26th, 42d, 47th, and 52d Regiments North Carolina Infantry, (formerly Kirkland's Brigade,) Heth's Division, A. P. Hill's Corps, Army Northern Virginia.

## COLLETT LEVENTHORPE.

Colonel Thirty-fourth Regiment North Carolina Infantry, October 26, 1861. Transferred to Colonel Eleventh Regiment North Carolina Infantry, March 31, 1862. Resigned April 27, 1864. Brigadier-General P. A. C. S., February 5, 1865.

*Commands.*

Commandant at Fort Fisher, N. C.

## WILLIAM P. ROBERTS.

Orderly Sergeant Nineteenth (Second) Cavalry Regiment, North Carolina Troops, Company C, June, 1861. Second Lieutenant, September 30, 1862. First Lieutenant, May, 1863. Captain, November 19, 1863. Major, May, 1864. Colonel, August 19, 1864. Brigadier-General P. A. C. S., February 21, 1865.

*Commands.*

*Brigade*, composed of Fourth Regiment, 12th and 16th Battalions, North Carolina Cavalry, W. H. F. Lee's Division, Army Northern Virginia.





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